



**Indiana Department of Transportation**

County Lake

Route 109<sup>th</sup> Avenue at I-65

Des. No. 1801500

**Part I - PUBLIC INVOLVEMENT**

Every Federal action requires some level of public involvement, providing for early and continuous opportunities throughout the project development process. **The level of public involvement should be commensurate with the proposed action.**

Does the project have a historic bridge processed under the Historic Bridges PA*?	<input type="checkbox"/>	<b>Yes</b>	<input checked="" type="checkbox"/>	<b>No</b>
If No, then:				
Opportunity for a Public Hearing Required?	<input checked="" type="checkbox"/>		<input type="checkbox"/>	

*\*A public hearing is required for all historic bridges processed under the Historic Bridges Programmatic Agreement between INDOT, FHWA, SHPO, and the ACHP.*

*Discuss what public involvement activities (legal notices, letters to affected property owners and residents (i.e. notice of entry), meetings, special purpose meetings, newspaper articles, etc.) have occurred for this project.*

Remarks: Notice of Entry letters were mailed to potentially affected property owners near the project area on August 20, 2019 notifying them about the project and that individuals responsible for land surveying and field activities may be seen in the area. A sample copy of the Notice of Entry letter is included in Appendix G, pages 1 and 2.

To meet the public involvement requirements of Section 106, a legal notice of FHWA’s finding of “No Historic Properties Affected” was published in *The Times* on July 29, 2020 offering the public an opportunity to submit comment pursuant to 36 CFR 800.2(d), 800.3(e), and 800.6(a)(4). The public comment period closed 30 days later on August 29, 2020. The text of the public notice and the affidavit of publication appear in Appendix D, pages 44 to 46. No comments were received prior to the established deadline.

The project will meet the minimum requirements described in the current *Indiana Department of Transportation (INDOT) Public Involvement Manual* which requires the project sponsor to offer the public an opportunity to submit comment and/or request a public hearing. Therefore, a legal notice will appear in a local publication contingent upon the release of this document for public involvement. This document will be revised after the public involvement requirements are fulfilled.

**Public Controversy on Environmental Grounds** **Yes**  **No**

Will the project involve substantial controversy concerning community and/or natural resource impacts?

Remarks: At this time, there is no substantial public controversy concerning impacts to the community or to natural resources.

**Part II - General Project Identification, Description, and Design Information**

Sponsor of the Project: Indiana Department of Transportation (INDOT) INDOT District: LaPorte  
Local Name of the Facility: 109<sup>th</sup> Avenue

Funding Source (mark all that apply): Federal  State  Local  Other\*

\*If other is selected, please identify the funding source: \_\_\_\_\_

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### PURPOSE AND NEED:

*Describe the transportation problem that the project will address. The solution to the traffic problem should NOT be discussed in this section. (Refer to the CE Manual, Section IV.B.2. Purpose and Need)*

**Need:**

The need for the project is due to the current and projected traffic volumes at the interchange of I-65 at 109<sup>th</sup> Avenue. The current traffic volumes along 109<sup>th</sup> Avenue near the I-65 interchange are approximately 17,100 vehicles per day (VPD) and is expected to increase to 22,000 VPD in the design year of 2042. The flow of traffic on a roadway is measured in terms of Level of Service (LOS), which is a scale from A to F. A rating of "A" designates optimal flow of traffic during peak traffic volumes while rating "F" designates the poorest flow of traffic during peak traffic volumes. The existing southbound left turn to eastbound 109<sup>th</sup> Avenue and through movements on 109<sup>th</sup> Avenue are operating at LOS F during the afternoon peak hour. This leads to extended wait times and queue lines that extend onto the mainline of I-65. Eastbound traffic along 109<sup>th</sup> Avenue currently operates at LOS D and is projected to be designated as LOS E in the design year (2042) during peak afternoon flow. If the needs of the interchange are not addressed, the intersection will continue to have difficulty handling traffic volumes and will cause long queue lines that extend into the travel lanes of I-65.

**Purpose:**

The purpose of this project is to improve the LOS at the interchange of I-65 at 109<sup>th</sup> Avenue to at least LOS B for all movements to and from I-65 at 109<sup>th</sup> Avenue through the design year (2042). This is needed in to support both current and projected local and regional traffic volumes. A secondary purpose of this project is to alleviate the queue lines onto I-65.

### PROJECT DESCRIPTION (PREFERRED ALTERNATIVE):

County: Lake Municipality: Crown Point

Limits of Proposed Work: Along approximately 0.42 mile of 109<sup>th</sup> Avenue from approximately 0.20 mile west of the centerline of I-65 to approximately 0.22 mile east of the centerline of I-65.

Total Work Length: 0.42 (2,450 feet) Mile(s) Total Work Area: 9.25 Acre(s)

	<b>Yes<sup>1</sup></b>	<b>No</b>
Is an Interchange Modification Study / Interchange Justification Study (IMS/IJS) required?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If yes, when did the FHWA grant a conditional approval for this project?	Date: <u>January 25, 2019</u>	

<sup>1</sup>If an IMS or IJS is required; a copy of the approved CE/EA document must be submitted to the FHWA with a request for final approval of the IMS/IJS.

*In the remarks box below, describe existing conditions, provide in detail the scope of work for the project, including the preferred alternative. Include a discussion of logical termini. Discuss any major issues for the project and how the project will improve safety or roadway deficiencies if these are issues.*

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### **Project Location**

The project is in Center Township, Lake County and within the City of Crown Point. Specifically, the project is in Sections 3 and 10, Township 34 North, Range 8 West as shown on the Crown Point 1:24,000 quadrangle map. The project interchange carries traffic between I-65 and 109<sup>th</sup> Avenue at exit 249 of I-65. The project is within the Northwest Indiana Regional Planning Commission (NIRPC) area of jurisdiction. A project location map, US Geological Survey (USGS) topographic map, and 2016 aerial imagery are included in Appendix B, pages 1 to 3.

### **Existing Roadway Conditions**

The existing interchange consists of signalized intersections of the I-65 entrance and exit ramps and 109<sup>th</sup> Avenue. The roadway of 109<sup>th</sup> Avenue consists of two through travel lanes, one in each direction, with a bi-directional left turn lane between the two interchange intersections. The area between the portions of the bi-directional turn lanes that are used to access the I-65 ramps is marked with striping to indicate that traffic is not allowed on that portion of the pavement. The 109<sup>th</sup> Avenue travel lanes are 10-foot wide concrete lanes. Two travel lanes are provided to the east and west of the signalized intersections with a right turn lane available to use the southbound and northbound ramps to I-65, respectively. A section of pavement in the approaches east and west of the interchange is marked to divert traffic to align with the roadway configuration between the two signalized intersections. A 4-sided concrete box culvert (CV I65-045-249.37 ADJ) that is 90 feet long, 10 feet wide, and 5 feet tall is located east of the northbound I-65 ramp and carries an Unnamed Tributary (UNT) to Main Beaver Dam Ditch under 109<sup>th</sup> Avenue. This portion of 109<sup>th</sup> Avenue is classified as an Urban Minor Arterial and has a posted speed limit of 35 miles per hour (mph) from the west approach and 40 mph from the east approach.

The bridges in the project area (I65-249-04900 BNBL and I-65-249-04900 BSBL) are three span steel girder bridges that carry I-65 over 109<sup>th</sup> Avenue and are approximately 116 feet in length. Both bridges were constructed in 1965 and are not listed in the INDOT Historic Bridge Inventory. Concrete slopewalls are present between the center piers and the end bents on either side of the bridge. The center span is approximately 43 feet in length. This portion of I-65 provides a six-lane cross section with three vehicular travel lanes heading north and three vehicular travel lanes heading south. A concrete median separates the northbound and southbound travel lanes. Shoulders are present on I-65 that are 12 feet in width for both the inside and outside shoulders beyond the bridges, and 14 feet in width on the bridges. This section of I-65 has a posted speed limit of 70 mph.

### **Preferred Alternative – Construct Two Two-Lane Roundabouts with Widened Approach Pavement**

This alternative includes the construction of roundabouts at the intersection of 109<sup>th</sup> Avenue and the I-65 ramps and widening of the roadway east and west of the proposed roundabouts. No work on mainline I-65 is included in the scope of these improvements. The proposed roadway cross section will provide two 12-foot wide vehicular travel lanes in either direction east and west of the proposed roundabouts. The roundabouts will provide two 15-foot wide travel lanes with a 9-foot, 6-inch truck apron on the inside curves. The roadway of 109<sup>th</sup> Avenue between the two proposed roundabouts will be widened to accommodate four vehicular travel lanes that will be 12 feet in width. The existing roadway pavement will be removed and replaced. The new pavement will include the existing three-lane cross section and a fourth lane will be constructed for westbound traffic between the northern I-65 bridge piers and end bents.

The City of Crown Point has expressed interest in constructing a mixed-use trail through the southern I-65 bridge piers and the end bents as part of a separate project. This trail is not included in the City of Crown Point Comprehensive Plan dated August 2018. This project will not preclude the construction of that mixed-use trail at a later date and some design elements have been considered to allow for that construction. Grading will be completed in this area to provide the City of Crown Point to construct the trail in the future; however, construction of the trail is not part of this project.

The concrete slopewalls of the existing bridges will be removed and stabilized with soil-nailed walls to accommodate the new travel lane. No improvements to the bridge superstructures are proposed. The I-65 ramps will retain their general configuration but will be tied into the proposed roundabouts. New permanent lighting will be installed at the proposed roundabouts and on the underside of the I-65 bridges. New storm sewers, curbs, and gutters will be installed along the project limits. The existing 4-sided concrete box culvert (CV I65-045-249.37 ADJ) that is near the eastern project terminus will be extended to accommodate the widened pavement in that area.

This alternative will tie into the proposed four-lane cross section that will be constructed as part of different projects east and west of the existing interchange in order to meet the City of Crown Point's goals for the 109<sup>th</sup> Avenue corridor. Public electric lines within the project area will need to be relocated to accommodate the widened pavement. The project termini were selected to allow enough area to construct the 4-lane approach needed to accommodate the desired traffic flow to and from I-65. Project plans depicting the details of the scope of work are in Appendix B, pages 9 to 32. A complete closure of 109<sup>th</sup> Avenue in the vicinity of the project area will be required to complete construction. Traffic will be maintained through a detour route utilizing State Road (SR) 53, US 231, and Iowa Street will be available for traffic that will be approximately 6.15 miles in length. A local detour route utilizing Iowa Street, 113<sup>th</sup> Avenue, and SR 53 will be available for traffic east of the existing interchange and will be approximately 2.5 miles in length. Signage will be placed east and west of the existing interchange to notify motorists of the closure. The I-65 ramps at 109<sup>th</sup> Avenue will also be

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closed, and signage will be placed on I-65 notifying motorists of the closure. Traffic will be routed to exit 247 to US 231 for the detour route. No impacts to the traffic on mainline I-65 are anticipated. Specific maintenance of traffic information can be found in the project plans in Appendix B, pages 15 to 20. Coordination for the Maintenance of Traffic plan in conjunction with the other projects in the vicinity of this project are ongoing. Access to local residences and businesses in the vicinity of the project area will be maintained. This alternative meets the purpose and need of the project by improving the LOS of the various movements in the project limits to at least LOS B through the design year (2042), and is feasible and prudent; therefore, it was selected as the preferred alternative. Additionally, it will alleviate queue lines on I-65 at the interchange. Impacts to wetlands and terrestrial habitat will occur as a result of this project. Mitigation for these impacts will occur as conditions of any required permits. Project termini were chosen because they encompass the area needed to accommodate the desired traffic flow to and from I-65. This project has independent utility because it will modify an existing interchange to improve the traffic flow to and from I-65 within the limits of this project. This project will tie into projects at the western and eastern project termini that are receiving separate federal approval through the National Environmental Policy Act (NEPA) process. The projects to the west and east of this project area have been programmed at different times to address traffic concerns that are separate from those addressed by this project. The preferred alternative and additional alternatives that were investigated for this project do not address the corridor of 109<sup>th</sup> Avenue as a whole and are solely focused on addressing the movements to and from I-65.

An Interstate Access Request and Evaluation Report was completed for this project to determine which alternatives would be selected for further consideration. The text of the Interstate Access Request and Evaluation Report can be found in Appendix I, pages 7 to 27. The purpose of the report is to determine which alternative will most effectively address the problem of moving traffic to and from I-65 at 109<sup>th</sup> Avenue. The initial recommendation from the report was to construct two roundabouts with one lane westbound and two lanes eastbound. The preliminary preferred alternative was selected early in the project development process and was altered through coordination with the City of Crown Point to match the improvements in the vicinity of this project that are programmed in the 2020-2024 Indiana Department of Transportation (INDOT) State Transportation Improvement Program (STIP). An early coordination letter was sent to the agencies with the original scope of work detailed and a subsequent re-coordination letter was sent after the adjustments to the preferred alternative were made. Details about the responses from the regulatory agencies to both the original coordination letter and the re-coordination letter are discussed in the relevant sections of this document.

### **OTHER ALTERNATIVES CONSIDERED:**

*Describe all discarded alternatives, including the Do-Nothing Alternative and an explanation of why each discarded alternative was not selected.*

An Interstate Access Request and Evaluation Report was completed for this project to determine which alternatives would be selected for further consideration. The text of the Interstate Access Request and Evaluation Report can be found in Appendix I, pages 7 to 27. The version in Appendix I excludes the appendices and traffic analysis; the full document can be made available upon request.

#### **Alternative 1: Do Nothing**

This alternative involves no work at the existing interchange, associated features, or approach roadway, and would not involve the use of any funds. This alternative would have no impacts to the social or physical environment; however, the traffic volumes would continue to be an issue until eventual queue lines extend into the mainline of I-65. This alternative does not meet the purpose and need of this project; therefore, it was discarded from further consideration.

#### **Alternative 2: Construct a Standard Diamond Interchange with 5-Lane Section and Ramp Improvements**

This alternative involves constructing a diamond interchange with a 5-lane cross section and constructing new auxiliary lanes on the I-65 ramps. This alternative would improve the roadway to an LOS D or better and would alleviate long queue lines. Due to the geometry of the roadway and the I-65 bridges over 109<sup>th</sup> Avenue, the I-65 bridges would need to be reconstructed to accommodate the five travel lanes. Additional land disturbance, including a likely greater impact area to wetlands, would be required to construct this alternative. This project is feasible to construct; however, the additional cost and impacts to traffic on mainline I-65, as well as additional wetland impacts, are not prudent. This alternative does not meet the purpose and need of the project by providing the desired LOS; therefore, it was discarded from further consideration.

#### **Alternative 3: Construct a Diverging Diamond Interchange**

This alternative involves the construction of a diverging diamond interchange with a signalized intersection at the I-65 ramps and 109<sup>th</sup> Avenue. This alternative would alter the traffic pattern by crossing traffic to the opposite side of the roadway between the two lights to remove the possibility of collisions or delays from traffic turning left onto the I-65 ramps. This would remove all eastbound and westbound turning movements at the intersection. All movements within this configuration are projected to operate at LOS C or better through the design year (2042). Additional land disturbance, including a likely greater impact area to wetlands, would be required to construct this alternative. This alternative is feasible and prudent but provides a lower LOS rating than the preferred alternative and likely greater land and wetland impacts; therefore, it was discarded from further consideration.



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**I-65**

Functional Classification: Interstate (no proposed work on I-65)  
 Current ADT: 68,673 VPD (2018) Design Year ADT: N/A VPD (20--)  
 Design Hour Volume (DHV): 5,678 Truck Percentage (%) 7%  
 Designed Speed (mph): 70 Legal Speed (mph): 70

**Existing Proposed**

Number of Lanes:	6 (3 each direction)		6 (3 each direction)	
Type of Lanes:	Concrete		Concrete	
Pavement Width:	120 (60 NB/60 SB)	ft.	120 (60 NB/60 SB)	ft.
Shoulder Width:	12 inside/12 outside NB and SB	ft.	12 inside/12 outside NB and SB	ft.
Median Width:	N/A	ft.	N/A	ft.
Sidewalk Width:	N/A	ft.	N/A	ft.

Setting:  Urban  Suburban  Rural  
 Topography:  Level  Rolling  Hilly

**I-65 Northbound and Southbound Ramps (Traffic values are assumed to match I-65)**

Functional Classification: Interstate (no proposed work on I-65)  
 Current ADT: 68,673 VPD (2018) Design Year ADT: N/A VPD (20--)  
 Design Hour Volume (DHV): 5,678 Truck Percentage (%) 7%  
 Designed Speed (mph): 70 Legal Speed (mph): 70

**Existing Proposed**

Number of Lanes:	2		2	
Type of Lanes:	Concrete		Concrete	
Pavement Width:	28	ft.	28	ft.
Shoulder Width:	2 inside/2 outside	ft.	2 inside/2 outside	ft.
Median Width:	N/A	ft.	N/A	ft.
Sidewalk Width:	N/A	ft.	N/A	ft.

Setting:  Urban  Suburban  Rural  
 Topography:  Level  Rolling  Hilly

*If the proposed action has multiple roadways, this section should be filled out for each roadway.*

**DESIGN CRITERIA FOR BRIDGES:**

Structure/NBI Number(s): I65-249-04900 BNBL/NBI 38490 Sufficiency Rating: 93.9 (April 15, 2019 Inspection Report)  
 (Rating, Source of Information)

**Existing Proposed**

Bridge Type:	Steel Girder		Steel Girder	
Number of Spans:	3		3	
Weight Restrictions:	N/A	ton	N/A	ton
Height Restrictions:	N/A	ft.	N/A	ft.
Curb to Curb Width:	64	ft.	64	ft.
Outside to Outside Width:	66.7	ft.	66.7	ft.
Shoulder Width:	14 Inside and Outside	ft.	14 Inside and Outside	ft.
Length of Channel Work:			N/A	ft.

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Structure/NBI Number(s): 165-249-04900 BSBL/ NBI 38500 Sufficiency Rating: 93.9 (April 15, 2019 Inspection Report)  
 (Rating, Source of Information)

	Existing		Proposed	
Bridge Type:	Steel Girder		Steel Girder	
Number of Spans:	3		3	
Weight Restrictions:	N/A	ton	N/A	ton
Height Restrictions:	N/A	ft.	N/A	ft.
Curb to Curb Width:	64	ft.	64	ft.
Outside to Outside Width:	66.7	ft.	66.7	ft.
Shoulder Width:	14 Inside and Outside	ft.	14 Inside and Outside	ft.
Length of Channel Work:			N/A	ft.

*Describe bridges and structures; provide specific location information for small structures.*

Remarks: This project involves work on the substructure of the northbound and southbound bridges carrying I-65 over 109<sup>th</sup> Avenue (I65-249-04900 BSBL (NBI 38500) and BNBL (NBI 38490). Both structures were constructed in 1965 and are not listed in the INDOT Historic Bridge Inventory. The concrete slopewalls of both bridges will be removed and soil-nailed walls will be installed to act as retaining walls. This work is necessary to allow for three lanes of traffic to flow under the bridges in the center spans and for one lane of traffic to flow between the northern piers and the northern end bents. No work will occur on the superstructure of either bridge.

The box culvert east of the proposed roundabouts (CV I65-045-249.37 ADJ) is a four-sided concrete box culvert that is 10 feet wide by 5 feet tall and conveys drainage from south to north under 109<sup>th</sup> Avenue towards Main Beaver Dam Ditch. This structure will be extended approximately 30 feet south to allow for the widened pavement. New riprap will be installed at the inlet and outlet of the structure. New storm sewers will be installed within the project limits and new riprap will be installed at the outlets of the new structures. The existing drainage structures in the project area are to remain in place with new riprap being installed at the inlets and outlets. Impacts to wetlands and streams due to this work are discussed in the "Streams, Rivers, Watercourses, and Jurisdictional Ditches" and "Wetlands" sections of this document. Project plans showing the work on the structures are included in Appendix B, pages 9 to 32.

Yes       No       N/A

Will the structure be rehabilitated or replaced as part of the project?  
 If the proposed action has multiple bridges or small structures, this section should be filled out for each structure.

**MAINTENANCE OF TRAFFIC (MOT) DURING CONSTRUCTION:**

	Yes	No
Is a temporary bridge proposed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is a temporary roadway proposed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will the project involve the use of a detour or require a ramp closure? (describe in remarks)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Provisions will be made for access by local traffic and so posted.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Provisions will be made for through-traffic dependent businesses.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Provisions will be made to accommodate any local special events or festivals.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Will the proposed MOT substantially change the environmental consequences of the action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there substantial controversy associated with the proposed method for MOT?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Remarks: The MOT plan for the project will require the closure of 109<sup>th</sup> Avenue and the I-65 ramps in the project area. Signage will be placed east and west of the construction area on 109<sup>th</sup> Avenue and on the mainline of I-65 to notify motorists of the closure. Traffic will be maintained through a detour route utilizing SR 53, US 231, and Iowa Street will be available for traffic that will be approximately 6.15 miles in length. A local detour route utilizing Iowa Street, 113<sup>th</sup> Avenue, and SR 53 will be available for traffic east of the existing interchange and will be approximately 2.5 miles in length. The I-65 ramps at 109<sup>th</sup> Avenue will also be closed, and traffic will be routed to exit 247 to the south for the detour route on US 231. No impacts to the flow of traffic on mainline I-65 are anticipated. The details of the MOT plan are located in Appendix B, pages 15 to 20. Coordination of the MOT plan is ongoing with other entities with projects in the vicinity of the project area.

The closures/lane restrictions will pose a temporary inconvenience to traveling motorists (including school buses and emergency services); however, no significant delays are anticipated, and all inconveniences will cease upon project completion. Delays would occur during construction but will cease with project completion.

**ESTIMATED PROJECT COST AND SCHEDULE:**

Engineering: \$ 500,000 (2020) Right-of-Way: \$ 185,000 (2020) Construction: \$ 3,000,000 (2021)

Anticipated Start Date of Construction: Spring 2021

Date project incorporated into STIP September 24, 2019 (2020-2024 STIP, Amendment 20-05 (Appendix H-1))

Is the project in an MPO Area?  **Yes**  **No**

If yes,

Name of MPO Northwestern Indiana Regional Planning Commission (NIRPC)

Location of Project in TIP NIRPC RTIP Amendment 20-08 (Appendix H-2)

Date of incorporation by reference into the STIP September 24, 2019

**RIGHT OF WAY:**

Land Use Impacts	Amount (acres)	
	Permanent	Temporary
Residential	0.342	0.000
Commercial	0.355	0.000
Agricultural	0.392	0.000
Forest	0.000	0.000
Wetlands*	0.000	0.000
Other:	0.000	0.000
Other:	0.000	0.000
<b>TOTAL</b>	<b>1.089</b>	<b>0.000</b>

*Describe both Permanent and Temporary right-of-way and describe their current use. Typical and Maximum right-of-way widths (existing and proposed) should also be discussed. Any advance acquisition or reacquisition, either known or suspected, and there impacts on the environmental analysis should be discussed.*

Remarks: The existing right of way (ROW) within the project area is primarily maintained areas within the interchange of I-65 at 109<sup>th</sup> Avenue, with agricultural fields southwest, northwest, and southeast of the interchange, a residential property northeast of the interchange, and commercial property southwest and southeast of the interchange. The typical maximum

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ROW width is 40 feet from the centerline of the roadway of 109<sup>th</sup> Avenue to the east and west of the interchange. The ROW near I-65 extends wide enough to encompass the entire interchange. Two ROW easements for utility access are present near the location of the proposed western roundabout. \*The wetlands within the project area are included in other forms of property.

The project requires approximately 1.089 acres of permanent ROW from residential (0.342 acre), commercial (0.355 acre), and agricultural (0.392 acre) property. The proposed ROW width will be approximately 75 feet from the centerline of the roadway on the north side and approximately 85 feet in width on the south side. ROW acquisition at the eastern project terminus and on the south side of 109<sup>th</sup> Avenue will be for preservation only and will not include any construction activities. The project requires no temporary ROW. Early acquisition of ROW is ongoing and is being conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

If the scope of work or permanent or temporary right-of-way amounts change, the INDOT Environmental Services Division (ESD) and the INDOT District Environmental Section will be contacted immediately.

**Part III – Identification and Evaluation of Impacts of the Proposed Action**

**SECTION A – ECOLOGICAL RESOURCES**

	<u>Presence</u>	<u>Impacts</u>	
		<u>Yes</u>	<u>No</u>
<b>Streams, Rivers, Watercourses &amp; Jurisdictional Ditches</b>	X	X	
Federal Wild and Scenic Rivers			
State Natural, Scenic or Recreational Rivers			
Nationwide Rivers Inventory (NRI) listed			
Outstanding Rivers List for Indiana			
Navigable Waterways			

Remarks: Based on a desktop review, a site visit on February 22, 2019 and May 22, 2019 by Green 3, LLC, the 2016 aerial map of the project area (Appendix B, page 3), and the water resources map in the Red Flag Investigation (RFI) report (Appendix E, page 27), there are 6 streams located within the 0.5 mile search radius. There is 1 stream present within or adjacent to the project area.

A *Waters of the U.S. Determination / Wetland Delineation Report* was approved by INDOT Ecology and Waterway Permitting Office on July 29, 2019 and an addendum to the report was approved on June 8, 2020. Please refer to Appendix F, pages 1 to 86 for the *Waters of the U.S. Determination / Wetland Delineation Report* and to Appendix F, pages 88 to 96 for the *Addendum to the Waters of the U.S. Determination / Wetland Delineation Report*. It was determined that one jurisdictional stream, UNT 1 to Main Beaver Dam Ditch, is present within the project area. This stream is considered average quality and has a substrate of cobble, gravel, and sand. It is likely jurisdictional under the authority of the US Army Corps of Engineers (USACE) due to the presence of relatively permanent flow patterns and connectivity to another likely jurisdictional water feature. The USACE makes all final determinations regarding jurisdiction.

No Federal, Wild and Scenic Rivers; State Natural, Scenic, and Recreational Rivers; Outstanding Rivers for Indiana; navigable waterways or National Rivers Inventory waterways are present in the project area. UNT 1 to Main Beaver Dam Ditch will be impacted by the extension of the culvert carrying UNT 1 to Main Beaver Dam Ditch north through the project area. UNT 1 to Main Beaver Dam Ditch will be permanently impacted by approximately 101 feet. Wetlands will be impacted by a total of 0.667 acre. An Indiana Department of Environmental Management (IDEM) Section 401 Water Quality Certification (WQC) and a USACE Section 404 Regional General Permit (RGP) will likely be required for these impacts. Mitigation will not be required for these impacts because they will be below the 300 linear feet threshold for mitigation.

A review of the IDEM 303d map tool verified that this unnamed tributary to Beaver Dam Ditch is listed as impaired by Ammonia, *E. coli*, an impaired biotic community, and nutrients. Workers who are working in or near water with *E. coli*

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should take care to wear appropriate PPE, observe proper hygiene procedures, including regular hand washing, and limit personal exposure.

Early coordination letters were sent to on February 28, 2019. Re-coordination letters were sent on January 30, 2020 due to the change in the scope and footprint of the project. The USACE did not respond to the early coordination letter. The US Fish and Wildlife Service (USFWS) responded on March 4, 2019 and again on February 7, 2020 but did not issue any recommendations for impacts to waterways (Appendix C, pages 6 and 20). NIRPC responded on February 28, 2020 and gave recommendations to utilize post-construction best management practices with the project (Appendix C, page 22). The IDEM responded on March 28, 2019 with a standard automated letter containing recommendations to obtain the necessary permits prior to construction (Appendix C, pages 10 to 14).

The Indiana Department of Natural Resources (IDNR) responded on March 28, 2019 and again on February 26, 2020 with recommendations to minimize impacts to UNT 1 to Main Beaver Dam Ditch by moving the roundabout west, if possible. The proposed location of the roundabout is dictated by the alignment and configuration of the existing ramps and the geometric requirements for tying the new roundabout into the ramps; therefore, the roundabout cannot be shifted west. Recommendations also included maintaining a natural stream substrate, not creating conditions that are less favorable for wildlife passage, avoiding work within the waterway between April 1 and June 30, minimizing the impacts to the stream from riprap installation, revegetation measures that should be implemented upon project completion, and avoiding the use of temporary runarounds, access bridges, causeways, cofferdams, diversions, or pumparounds without the written approval of the IDNR, and installing erosion control measures until the area has stabilized after construction (Appendix C, pages 15 to 17 and 21). All applicable NIRPC and IDNR recommendations are included in the Environmental Commitments section of this CE document.

**Other Surface Waters**

- Reservoirs
- Lakes
- Farm Ponds
- Detention Basins
- Storm Water Management Facilities
- Other: \_\_\_\_\_

	<b>Impacts</b>	
	<b>Yes</b>	<b>No</b>
<b>Presence</b>		

**Remarks:** Based on a desktop review, a site visit on February 22, 2019 and May 22, 2019 by Green 3, LLC, the 2016 aerial map of the project area (Appendix B, page 3), and the water resources map in the RFI report (Appendix E, page 27), there are 4 lakes located within the 0.5 mile search radius. There is 1 other surface water feature immediately adjacent to the project area.

A *Waters of the U.S. Determination / Wetland Delineation Report* was approved by INDOT Ecology and Waterway Permitting Office approved on July 29, 2019 and an addendum to the report was approved on June 8, 2020. Please refer to Appendix F, pages 1 to 86 for the *Waters of the U.S. Determination / Wetland Delineation Report* and to Appendix F, pages 88 to 96 for the *Addendum to the Waters of the U.S. Determination / Wetland Delineation Report*. It was determined that no other surface waters are present within the project area. The USACE makes all final determinations regarding jurisdiction.

This project occurs within the Lake Michigan Coastal Program jurisdiction area. Federal approval of this action will occur during the USACE permitting process. This project is considered exempt from conformity because it will require approval from a federal agency prior to construction.

This project includes the construction of two new roundabouts at the interchange of I-65 and 109<sup>th</sup> Avenue. The configuration of the existing ramps will be retained in this project. This project has been designed to avoid all impacts to the surface water feature adjacent to the project area in the southeast quadrant of the interchange. The additional surface waters identified within the 0.5 mile search radius are not within the project area. Additionally, Best Management Practices (BMPs) will be in place during construction to prevent sediment or runoff from entering this feature. Therefore, no impacts are expected.

Early coordination letters were sent to on February 28, 2019. Re-coordination letters were sent on January 30, 2020 due to the change in the scope and footprint of the project. The USFWS responded on March 4, 2019 and again on February 7, 2020 but did not have any recommendations for other surface waters (Appendix C, pages 6 and 20). The IDEM

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responded on March 28, 2019 with a standard automated letter with recommendations to obtain any necessary permits for impacts to waterways (Appendix C, pages 10 to 14). The IDNR responded on March 28, 2019 and again on February 26, 2020 but did not offer any recommendations for other surface waters (Appendix C, pages 15 to 17 and 21). All applicable agency recommendations are included in the Environmental Commitments section of this CE document.

**Presence** **Impacts**

**Yes** **No**

**Wetlands**

Total wetland area:         3.09         acre(s) Total wetland area impacted:         0.667         acre(s)

(If a determination has not been made for non-isolated/isolated wetlands, fill in the total wetland area impacted above.)

Wetland No.	Classification	Total Size (Acres)	Impacted Acres	Comments
Wetland 1	Emergent	0.15	0.143	Impacts will be from earthen fill, the widened roadway, and a proposed drainage structure.
Wetland 2	Emergent	0.14	0.101	Impacts will be from earthen fill, the widened roadway, and a proposed drainage structure.
Wetland 3	Emergent	0.07	0.012	Impacts will be from earthen fill and Class 2 riprap.
Wetland 4	Emergent	0.59	0.005	Impacts will be from earthen fill and the widened roadway.
Wetland 5	Emergent	1.37	0.168	Impacts will be from earthen fill, the widened roadway, and Class 2 riprap.
Wetland 6	Emergent	0.38	0.037	Impacts will be from earthen fill, the widened roadway, a proposed drainage structure, and Class 2 riprap.
Wetland 7	Emergent	0.19	0.008	Impacts will be from earthen fill.
Wetland 8	Emergent	0.03	0.03	Impacts will be from earthen fill and the widened roadway.

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Wetland 9	Emergent	0.15	0.154	Impacts will be from earthen fill, the widened roadway, a proposed drainage structure, and Class 2 riprap.
Wetland 10	Emergent	0.02	0.009	Impacts will be from earthen fill.

### Documentation

### ES Approval Dates

**Wetlands (Mark all that apply)**

- Wetland Determination
- Wetland Delineation
- USACE Isolated Waters Determination
- Mitigation Plan

X
X

July 29, 2019, June 8, 2020
July 29, 2019, June 8, 2020

**Improvements that will not result in any wetland impacts are not practicable because such avoidance would result in** (Mark all that apply and explain):

- Substantial adverse impacts to adjacent homes, business or other improved properties;
- Substantially increased project costs;
- Unique engineering, traffic, maintenance, or safety problems;
- Substantial adverse social, economic, or environmental impacts, or
- The project not meeting the identified needs.

X

*Measures to avoid, minimize, and mitigate wetland impacts need to be discussed in the remarks box.*

Remarks: Based on a review of the National Wetlands Inventory (NWI) online mapper (<https://www.fws.gov/wetlands/data/Mapper.html>), a site visit on February 22, 2019 and May 22, 2019 by Green 3, LLC, the USGS topographic map (Appendix B, page 2), and the RFI report (Appendix E, page 27) there are 21 wetlands located within the 0.5 mile search radius. There are 10 wetlands present within or adjacent to the project area.

A *Waters of the U.S. Determination / Wetland Delineation Report* was approved by INDOT Ecology and Waterway Permitting Office approved on July 29, 2019 and an addendum to the report was approved on June 8, 2020. Please refer to Appendix F, pages 1 to 86 for the *Waters of the U.S. Determination / Wetland Delineation Report* and to Appendix F, pages 88 to 96 for the *Addendum to the Waters of the U.S. Determination / Wetland Delineation Report*. It was determined that 10 wetlands are within the project area. Of these wetlands, 7 were determined to be likely Waters of the US and 3 were determined to be likely Waters of the State. Each wetland that was identified was classified as emergent and poor quality. The USACE makes all final determinations regarding jurisdiction.

Each of the 10 wetlands will be impacted by the project. The total impacted area of wetlands will be approximately 0.667 acre. The majority of the area of the identified wetlands is immediately adjacent and parallel to the existing roadway. Complete avoidance of impacts to wetlands would not allow for the construction of the roundabouts or the widening of the 109<sup>th</sup> Avenue roadway, which would not allow the project to meet the purpose of the need. Impacts to wetlands have been minimized to the extent possible while still constructing the project. Mitigation for impacts to wetlands is anticipated because impacts will be above the 0.1 acre threshold. Mitigation will be required as part of the permitting process. An IDEM Section 401 Individual Permit (IP) and USACE Section 404 Regional General Permit (RGP) will be required for this project.

Early coordination letters were sent to on February 28, 2019. Re-coordination letters were sent on January 30, 2020 due to the change in the scope and footprint of the project. The USACE did not respond to the early coordination letter. The USFWS responded on March 4, 2019 and again on February 7, 2020 but did not offer any recommendations about wetlands (Appendix C, pages 6 and 20). IDEM responded on March 28, 2019 with a standard automated letter with recommendations to obtain the necessary permits for impacts to wetlands (Appendix C, pages 10 to 14). The IDNR responded on March 28, 2019 and again on February 26, 2020 but did not offer any recommendations for impacts to wetlands (Appendix C, pages 15 to 17 and 21). All applicable agency recommendations are included in the

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Environmental Commitments section of this CE document.

	<u>Presence</u>	<u>Impacts</u>	
<b>Terrestrial Habitat</b>		<b>Yes</b>	<b>No</b>
Unique or High Quality Habitat	<b>X</b>	<b>X</b>	

*Use the remarks*

*box to identify each type of habitat and the acres impacted (i.e. forested, grassland, farmland, lawn, etc).*

Remarks: Based on a desktop review, a site visit on February 22, 2019 and May 22, 2019 by Green 3, LLC, and the 2016 aerial map of the project area (Appendix B, page 3), there are areas of wetlands, maintained lawn, and understory vegetation within and adjacent to the project area. The dominant vegetation in the vicinity of the project area includes various native grasses, some presence of the invasive species, Giant Reed (*Phragmites australis*), the native understory tree, Black Willow (*Salix nigra*), and the invasive shrub, Amur Honeysuckle (*Lonicera mackii*). The project will require approximately 9.25 acre of disturbance to terrestrial habitat for construction access. Approximately 0.09 acre of tree removal will occur outside of the active season for bats (April 1 – September 30) for the extension of the culvert on the east side of the interchange. The dominant species to be removed will be Black Willow (*Salix nigra*). Complete avoidance of these impacts would not allow for the widening of the existing roadway or for the extension of the culvert. Mitigation for disturbances to terrestrial habitat are anticipated to be required as part of the permitting process.

Early coordination letters were sent to on February 28, 2019. Re-coordination letters were sent on January 30, 2020 due to the change in the scope and footprint of the project. The USFWS responded on March 4, 2019 and again on February 7, 2020 but did not offer any recommendations for disturbance to terrestrial habitat (Appendix C, pages 6 and 20). The IDEM responded on March 28, 2019 with a standard automated letter and offered recommendations to obtain the necessary permits for impacts to terrestrial habitat (Appendix C, pages 10 to 14). The IDNR responded on March 28, 2019 and again on February 26, 2020 with recommendations to develop a mitigation plan (and be submitted with the permit application, if required) if habitat impacts will occur; impacts to non-wetland forest of one (1) acre or more should be mitigated at a minimum 2:1 ratio. If less than one acre of non-wetland forest is removed in a rural setting, replacement should be at a 1:1 ratio based on area. Impacts to nonwetland forest under one (1) acre in an urban setting should be mitigated by planting five trees, at least 2 inches in diameter-at-breast height (dbh), for each tree which is removed that is 10 inches dbh or greater (5:1 mitigation based on the number of large trees); Revegetate all bare and disturbed areas with a mixture of grasses (excluding all varieties of tall fescue), legumes, and native shrub and hardwood tree species as soon as possible upon completion; Do not cut any trees suitable for Indiana bat or Northern Long-eared bat roosting from April 1 through September 30 (Appendix C, pages 15 to 17 and 21). All applicable agency recommendations are included in the Environmental Commitments section of this CE document.

*If there are high incidences of animal movements observed in the project area, or if bridges and other areas appear to be the sole corridor for animal movement, consideration of utilizing wildlife crossings should be taken.*

	<b>Yes</b>	<b>No</b>
Is the proposed project located within or adjacent to the potential Karst Area of Indiana?		<b>X</b>
Are karst features located within or adjacent to the footprint of the proposed project?		<b>X</b>
If yes, will the project impact any of these karst features?		

*Use the remarks box to identify any karst features within the project area. (Karst investigation must comply with the Karst MOU, dated October 13, 1993)*

Remarks: Based on a desktop review, the project is located outside the designated karst region of Indiana as outlined in the October 13, 1993 Memorandum of Understanding (MOU). According to the USGS topographic map of the project area (Appendix B, page 2) and the RFI report (Appendix E, page 27), there are no karst features identified within or adjacent to the project area. In the early coordination response, the Indiana Geological Survey (IGS) did not indicate that karst features exist in the project area (Appendix C, pages 7 to 9). The IGS indicated that the project has moderate liquefaction potential, occurs within a floodway, and that there is low potential for sand and gravel or bedrock resources to be present. The IGS did not indicate the presence of active or abandoned mineral extraction sites. The response from IGS has been communicated with the designer on August 10, 2020. No impacts are expected.

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	<u>Presence</u>	<u>Impacts</u>	
		Yes	No
<b>Threatened or Endangered Species</b>			
Within the known range of any federal species	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Any critical habitat identified within project area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Federal species found in project area (based upon informal consultation)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
State species found in project area (based upon consultation with IDNR)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is Section 7 formal consultation required for this action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Remarks: Based on a desktop review and the RFI report (Appendix E, pages 1 to 22), completed by Green 3, LLC on May 28, 2019, the IDNR Lake County Endangered, Threatened and Rare (ETR) Species List has been checked and is included in Appendix E, pages 12 to 22. The highlighted species on the list reflect the federal and state identified ETR species located within the county. According to the IDNR-DFW early coordination response letters dated March 28, 2019 and February 26, 2020 (Appendix C, pages 15 to 17 and 21), the Natural Heritage Program’s Database has been checked and to date, no plant or animal species listed as endangered, threatened, or rare have been reported to occur within the project vicinity.

Project information was submitted through the USFWS’s Information for Planning and Consultation (IPaC) portal, and an official species list was generated (Appendix C, pages 23 to 29). The project is within range of the federally endangered Indiana bat (*Myotis sodalis*) and the federally threatened northern long-eared bat (NLEB) (*Myotis septentrionalis*). Other species were found to be present within or adjacent to the project area along with the Indiana bat and northern long-eared bat. Refer to paragraph below.

The official species list generated from IPaC indicated one other species present within the project area. Mead’s Milkweed (*Asclepias meadii*), which is federally threatened, is found in the vicinity of the project area. The project does not qualify for the USFWS Interim Policy. In response letters from the USFWS dated March 4, 2019 (Appendix C, page 6), the USFWS stated that no federally endangered, threatened, or rare species are known to be present in the project area. The USFWS stated in their letter dated February 7, 2020 that they had no additional comments (Appendix C, page 20). No impact is expected.

The project qualifies for the *Range-wide Programmatic Informal Consultation for the Indiana bat and northern long-eared bat (NLEB)*, dated May 2016 (revised February 2018), between FHWA, Federal Railroad Administration (FRA), Federal Transit Administration (FTA), and USFWS. An effect determination key was completed on July 14, 2020, and based on the responses provided, the project was found to “*May affect – not likely to adversely affect*” the Indiana bat and/or the NLEB. INDOT reviewed and verified the effect finding on July 14, 2020 and requested USFWS’s review of the finding (Appendix C, page 30). No response was received from USFWS within the 14-day review period; therefore, it was concluded they concur with the finding. Avoidance and Mitigation Measures (AMMs) are included as firm commitments in the *Environmental Commitments* section of this document.

The RFI report was approved by INDOT Site Assessment and Management (SAM) on May 28, 2019 (Appendix E, pages 1 to 22) and an addendum to the report was approved by INDOT SAM on April 16, 2020 (Appendix E, pages 23 to 29). Project information was submitted through the USFWS’s Information for Planning and Consultation (IPaC) portal, and an official species list was generated (Appendix C, pages 23 to 29). This project is located outside a High Potential Zone for the Rusty Patched Bumble Bee. Therefore, no impacts are expected.

This precludes the need for further consultation on this project as required under Section 7 of the Endangered Species Act, as amended. If new information on endangered species at the site becomes available, or if project plans are changed, USFWS will be contacted for consultation.

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<b>SECTION B – OTHER RESOURCES</b>
------------------------------------

**Drinking Water Resources**

- Wellhead Protection Area
- Public Water System(s)
- Residential Well(s)
- Source Water Protection Area(s)
- Sole Source Aquifer (SSA)

	<u>Presence</u>	<u>Impacts</u>	
		<u>Yes</u>	<u>No</u>
Wellhead Protection Area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Public Water System(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Residential Well(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Source Water Protection Area(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sole Source Aquifer (SSA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If a SSA is present, answer the following:

- Is the Project in the St. Joseph Aquifer System?
- Is the FHWA/EPA SSA MOU Applicable?
- Initial Groundwater Assessment Required?
- Detailed Groundwater Assessment Required?

	<u>Yes</u>	<u>No</u>
Is the Project in the St. Joseph Aquifer System?	<input type="checkbox"/>	<input type="checkbox"/>
Is the FHWA/EPA SSA MOU Applicable?	<input type="checkbox"/>	<input type="checkbox"/>
Initial Groundwater Assessment Required?	<input type="checkbox"/>	<input type="checkbox"/>
Detailed Groundwater Assessment Required?	<input type="checkbox"/>	<input type="checkbox"/>

**Remarks:**

The project is located in Lake County, which is not located within the area of the St. Joseph Sole Source Aquifer, the only legally designated sole source aquifer in the state of Indiana. Therefore, the FHWA/EPA Sole Source Aquifer Memorandum of Understanding (MOU) is not applicable to this project.

The IDEM Wellhead Proximity Determinator website (<http://www.in.gov/idem/cleanwater/pages/wellhead/>) was accessed on August 10, 2020 by Green 3, LLC. This project is not located within a Wellhead Protection Area or Source Water Area. No impacts are expected.

The IDNR Water Well Record Database website (<https://www.in.gov/dnr/water/3595.htm>) was accessed on August 11, 2020 by Green 3, LLC. The nearest well is approximately 0.03 miles southwest of the western project terminus. The features will not be affected because work will not occur on that property where the well is located. Therefore, no impacts are expected. Should it be determined during the right-of-way phase that these wells are affected, a cost to cure will likely be included in the appraisal to restore the wells.

Based on a desktop review of the INDOT MS4 website (<https://entapps.indot.in.gov/MS4/>) by Green 3, LLC on February 28, 2019, and the RFI report; this project is located in an Urban Area Boundary (UAB) location. An early coordination letter was sent on February 28, 2019 to the Crown Point MS4 coordinator. The MS4 coordinator did not respond within the 30-day time frame.

Based on a desktop review, a site visit on February 22, 2019 and May 22, 2019 by Green 3, LLC, the 2016 aerial map of the project area (Appendix B, page 3), and the utilities list in the project plans (Appendix B, page 10), this project is located where there is a public water system. The public water system will not be affected because the design and placement of the new storm sewers and the box culvert extension will avoid impacts to this feature. Early coordination letters were sent on February 28, 2019. Re-coordination letters were sent on January 30, 2020 due to the change in the scope and footprint of the project. Early coordination letters were sent on February 28, 2019 and again on January 30, 2020 to representatives at the City of Crown Point. No responses were received within the 30-day time frame.

This project occurs within the Lake Michigan Coastal Program jurisdiction area. Federal approval of this action will occur during the USACE permitting process. This project is considered exempt from conformity because it will require approval from a federal agency prior to construction.

**Flood Plains**

- Longitudinal Encroachment
- Transverse Encroachment
- Project located within a regulated floodplain
- Homes located in floodplain within 1000' up/downstream from project

	<u>Presence</u>	<u>Impacts</u>	
		<u>Yes</u>	<u>No</u>
Longitudinal Encroachment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transverse Encroachment	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Project located within a regulated floodplain	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Homes located in floodplain within 1000' up/downstream from project	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Discuss impacts according to classification system described in the "Procedural Manual for Preparing Environmental Studies".*

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Remarks: Based on a desktop review of The IDNR Indiana Floodway Information Portal website (<http://dnrmaps.dnr.in.gov/appsphp/fdms/>) by Green 3, LLC on February 28, 2019, and the RFI report; this project is located in a regulatory floodplain as determined from approved IDNR floodplain maps (Appendix E, page 5). An early coordination letter was sent on February 28, 2019, to the local Floodplain Administrator. The floodplain administrator did not respond within the 30-day time frame. This project qualifies as a Category 3 per the current INDOT CE Manual, which states "The modifications to drainage structures included in this project will result in an insubstantial change in their capacity to carry flood water. This change could cause a minimal increase in flood heights and flood limits. These minimal increases will not result in any substantial adverse impacts on the natural and beneficial floodplain values; they will not result in substantial change in flood risks or damage; and they do not have substantial potential for interruption or termination of emergency service or emergency routes; therefore, it has been determined that this encroachment is not substantial."

	<u>Presence</u>	<u>Impacts</u>	
<b>Farmland</b>		<u>Yes</u>	<u>No</u>
Agricultural Lands	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Prime Farmland (per NRCS)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Total Points (from Section VII of CPA-106/AD-1006\* N/A  
*\*If 160 or greater, see CE Manual for guidance.*

See CE Manual for guidance to determine which NRCS form is appropriate for your project.

Remarks: Based on a desktop review, a site visit on February 22, 2019 and May 22, 2019 by Green 3, LLC the 2016 aerial map of the project area (Appendix B, page 3), the project will convert 0.392 acres of farmland as defined by the Farmland Protection Policy Act. An early coordination letter was sent on February 28, 2019 and again on January 30, 2020, to Natural Resources Conservation Services (NRCS). A follow up email was sent on August 13, 2020. No response was received from the NRCS. No significant impacts are expected.

### SECTION C – CULTURAL RESOURCES

	<u>Category</u>	<u>Type</u>	<u>INDOT Approval Dates</u>	<u>N/A</u>
Minor Projects PA Clearance				<input checked="" type="checkbox"/>

**Eligible and/or Listed  
Resource Present**

Archaeology				
NRHP Buildings/Site(s)				
NRHP District(s)				
NRHP Bridge(s)				

**Project Effect**

No Historic Properties Affected  No Adverse Effect  Adverse Effect

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### Documentation Prepared

Documentation (mark all that apply)

	<b>ES/FHWA Approval Date(s)</b>	<b>SHPO Approval Date(s)</b>
Historic Properties Short Report	X May 8, 2020	June 1, 2020
Historic Property Report		
Archaeological Records Check/ Review	X May 8, 2020	June 1, 2020
Archaeological Phase Ia Survey Report	X May 8, 2020	June 1, 2020
Archaeological Phase Ic Survey Report		
Archaeological Phase II Investigation Report		
Archaeological Phase III Data Recovery		
APE, Eligibility and Effect Determination	X July 22, 2020	August 17, 2020
800.11 Documentation	X July 22, 2020	August 17, 2020

Memorandum of Agreement (MOA)

**MOA Signature Dates** (List all signatories)

*Describe all efforts to document cultural resources, including a detailed summary of the Section 106 process, using the categories outlined in the remarks box. The completion of the Section 106 process requires that a Legal Notice be published in local newspapers. Please indicate the publication date, name of paper(s) and the comment period deadline. Likewise include any further Section 106 work which must be completed at a later date, such as mitigation or deep trenching.*

Remarks:

**Area of Potential Effect (APE):**  
 The APE, as defined in 36 CFR 800.16(d), is “the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist.” The APE of the project includes all properties adjacent to the project and those with a proximate viewshed of the project. Urban development limited the APE to properties immediately adjacent to the I-65 and 109th Avenue Interstate Access Improvement Project. From the center of the intersection, the APE extends 0.37 mile east, 0.09 mile south, 0.27 mile west, and 0.08 mile north. A map of the APE can be found in Appendix D, page 11.

On June 1, 2020, Indiana State Historic Preservation Officer (SHPO) staff sent a letter stating they agreed that the APE appeared to be of appropriate size to encompass the geographic area of the project (Appendix D, pages 38 to 39).

**Coordination with Consulting Parties:**  
 The following parties/agencies were invited to become consulting parties (CPs) to this project and were sent early coordination information on July 24, 2019 (Appendix D, pages 23 to 25). It is important to note that the early coordination letter is dated July 22, 2019. Below is the list of invited consulting parties. Those identified in bold print are participating consulting parties.

**Indiana State Historic Preservation Officer (SHPO) (automatic consulting party)**  
 Indiana Landmarks, Northwest Field Office  
 Lake County Historian  
 Lake County Historical Society and Museum  
 Crown Point Historic Preservation Commission  
 Northwestern Indiana Regional Planning Commission  
 Mayor of the City of Crown Point  
 Lake County Commissioners  
 Lake County Engineer  
 Lake County Highway Superintendent  
 Eastern Shawnee Tribe of Oklahoma  
**Miami Tribe of Oklahoma**  
 Peoria Tribe of Indians of Oklahoma  
**Pokagon Band of Potawatomi Indians**  
**Forest County Potawatomi Community**

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Note: INDOT Cultural Resources Office (CRO) is acting on behalf of FHWA. FHWA is the lead federal agency. The IDNR Historic Preservation Officer (SHPO) is an automatic consulting party.

On July 29, 2019, the Pokagon Band of Potawatomi Indians accepted consulting party status and determined that there would be “No Historic Properties in Area of Potential Effects (APE) significant to the Pokagon Band of Potawatomi Indians” (Appendix D, page 26).

On August 16, 2019, SHPO responded to the ECL, saying they were “not aware of any parties who should be invited to participate in the Section 106 consultation on this project, beyond those whom INDOT already has invited” (Appendix D, pages 27 to 28).

In an email dated August 26, 2019, the Forest County Potawatomi Community accepted the invitation to become a consulting party for this project. The Forest County Potawatomi Community determined that a finding of “No Historic Properties Affected,” would be appropriate (Appendix D, pages 29 to 30).

On May 8, 2020, the Miami Tribe of Oklahoma sent a letter accepting the invitation to become a consulting party for this project. They offered no objection to this project, since they were “not currently aware of existing documentation directly linking a specific Miami cultural or historic site to the project site” (Appendix D, page 37). No other consulting parties responded to the ECL within the 30 day timeframe.

### Archaeology:

A Qualified Professional (QP) meeting the Secretary of the Interior’s standards from Green 3, LLC conducted a Phase 1a archaeological reconnaissance investigation (Jackson, April 23, 2020) The investigation identified no archaeological sites within the project area and the report recommended that the project be allowed to proceed as planned. The Phase 1a Archaeology Report was sent to consulting parties (SHPO and Tribes only) on May 8, 2020. The summary of the Phase 1a Archaeology Report are found in Appendix D, pages 42 to 43.

On June 1, 2020, SHPO staff sent a letter stating they agreed that no archaeological resources were eligible for inclusion in the NRHP. Additionally, the SHPO staff commented that an “updated archaeological site survey record for sites 12La631 has not been submitted to SHAARD. The updated form should note the destruction of this site” (Appendix D, pages 38 to 39). Green 3, LLC has submitted this record for review as requested by SHPO. No other consulting parties responded to the archaeology report within the 30 day timeframe.

### Historic Properties:

The NRHP, Indiana Register of Historic Sites and Structures (State Register), and the Indiana Historic Buildings, Bridges, and Cemeteries Map (IHBBCM), showing results of the Indiana Historic Sites and Structures Inventory (IHSSI), were consulted. One resource in the APE was previously identified, but has been since demolished: Farm, IHSSI No. 089-142-75004; rated Contributing.

There are no Historic American Buildings Survey (HABS)/Historic American Engineering Record (HAER)/Historic American Landscapes Survey (HALS) resources identified within the vicinity of the project. The *Indiana Historic Bridge Inventory* (February 2009) by M & H Architecture, Inc. was reviewed. No historic bridges were identified within the APE.

A QP meeting the Secretary of the Interior’s Standards from Green 3, LLC conducted a site visit of the project area on October 2, 2019. He documented above-ground resources within the APE that are at least 50 years of age or that will be at least 50 years of age at the time of the project letting (expected 2021). The historian walked the APE, taking photographs of all resources meriting a “Contributing” or higher rating. Non-contributing resources or those that did not meet the age requirements were noted but not documented other than in general streetscape photographs. No resources in the APE were found to be listed in or eligible for the NRHP.

A Historic Property Short Report (HPSR) (Wood, April 2020) was completed for the project and distributed to consulting parties on May 8, 2020 (Appendix D, pages 40 to 41).

On June 1, 2020, SHPO staff sent a letter stating they agreed that the APE appeared to be of appropriate size to encompass the geographic area of the project. They also agreed with the findings that no above-ground resources were eligible for inclusion in the NRHP (Appendix D, pages 38 to 39). No other consulting parties responded to the HPSR within the 30 day timeframe.

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**Documentation, Findings:**

Because there are no historic properties currently present within the APE, INDOT, acting on behalf of FHWA, has determined a finding of "No Historic Properties Affected" is appropriate.

The SHPO responded on August 17, 2020 and stated that they concurred with INDOT's finding of "No Historic Properties Affected" (Appendix D, pages 47 to 48).

**Public Involvement:**

A public notice of the "No Historic Properties Affected" finding was published in *The Times* (Munster, Lake County, IN) on July 29, 2020 and the public was afforded thirty (30) days to respond. No public comments were received prior to the 30-day deadline. A copy of the public notice and the publisher's affidavit can be found in Appendix D, pages 44 to 46.

### SECTION D – SECTION 4(f) RESOURCES/ SECTION 6(f) RESOURCES

**Section 4(f) Involvement** (mark all that apply)

**Parks & Other Recreational Land**

- Publicly owned park
- Publicly owned recreation area
- Other (school, state/national forest, bikeway, etc.)

Presence


Use

Yes	No

Evaluations Prepared

- Programmatic Section 4(f)\*
- "De minimis" Impact\*
- Individual Section 4(f)


FHWA Approval date

--

**Wildlife & Waterfowl Refuges**

- National Wildlife Refuge
- National Natural Landmark
- State Wildlife Area
- State Nature Preserve

Presence


Use

Yes	No

Evaluations Prepared

- Programmatic Section 4(f)\*
- "De minimis" Impact\*
- Individual Section 4(f)


FHWA Approval date

--

**Historic Properties**

- Sites eligible and/or listed on the NRHP

Presence

--

Use

Yes	No

Evaluations Prepared

- Programmatic Section 4(f)\*
- "De minimis" Impact\*
- Individual Section 4(f)


FHWA Approval date

--

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\*FHWA approval of the environmental document also serves as approval of any Section 4f Programmatic and/or De minimis evaluation(s) discussed below.

Discuss Programmatic Section 4(f) and "de minimis" Section 4(f) impacts in the remarks box below. Individual Section 4(f) documentation must be separate Draft and Final documents. For further discussions on Programmatic, "de minimis" and Individual Section 4(f) evaluations please refer to the "Procedural Manual for the Preparation of Environmental Studies". Discuss proposed alternatives that satisfy the requirements of Section 4(f).

Remarks: Section 4(f) of the U.S. Department of Transportation Act of 1966 prohibits the use of certain public and historic lands for federally funded transportation facilities unless there is no feasible and prudent alternative. The law applies to significant publicly owned parks, recreation areas, wildlife / waterfowl refuges, and NRHP eligible or listed historic properties regardless of ownership. Lands subject to this law are considered Section 4(f) resources.

Based on a desktop review, a site visit on February 22, 2019 and May 22, 2019 by Green 3, LLC, the 2016 aerial map of the project area (Appendix B, page 3), and the RFI report (Appendix E, page 26) there is one 4(f) resource located within the 0.5 mile search radius. The Crown Point East to County Line Trail is mapped approximately 0.12 mile south of the original project area and is slightly closer to the updated project area. Construction will not directly or indirectly impact that trail. There are no Section 4(f) resources within or adjacent to the project area. Therefore, no use is expected. The future trail shown on the project plans, which is discussed in the Preferred Alternative section of this document, will not be constructed as a part of this project. This trail is not included in the City of Crown Point Comprehensive Plan dated August 2018. It will be evaluated for Section 4(f) impacts if federal funds are used to construct that feature.

<b>Section 6(f) Involvement</b>	<u>Presence</u>		<u>Use</u>	
<b>Section 6(f) Property</b>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discuss proposed alternatives that satisfy the requirements of Section 6(f). Discuss any Section 6(f) involvement.

Remarks: The U.S. Land and Water Conservation Fund Act of 1965 established the Land and Water Conservation Fund (LWCF), which was created to preserve, develop, and assure accessibility to outdoor recreation resources. Section 6(f) of this Act prohibits conversion of lands purchased with LWCF monies to a non-recreation use.

A review of 6(f) properties on the INDOT Environmental Policy website at <https://www.in.gov/indot/2523.htm> revealed a total of 58 properties in Lake County (Appendix I, pages 1 and 2). None of these properties are located within or adjacent to the project area. Therefore, there will be no impacts to 6(f) resources as a result of this project.

### SECTION E – Air Quality

**Air Quality**

<b>Conformity Status of the Project</b>		<b>Yes</b>	<b>No</b>
Is the project in an air quality non-attainment or maintenance area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If YES, then:			
Is the project in the most current MPO TIP?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the project exempt from conformity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If the project is NOT exempt from conformity, then:			
Is the project in the Transportation Plan (TP)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is a hot spot analysis required (CO/PM)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Level of MSAT Analysis required?

Level 1a  Level 1b  Level 2  Level 3  Level 4  Level 5

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Remarks: This project is included in the Fiscal Year (FY) 2020-2024 NIRPC Transportation Improvement Program (TIP) and in the FY 2020-2024 INDOT Statewide Transportation Improvement Program (STIP) (Appendix H, pages 1 to 2). This project is located in Lake County, which is currently a nonattainment area for Ozone, under the 2008 8-hour standard. The project's design concept and scope are accurately reflected in both the NIRPC Transportation Plan (TP) and the Transportation Improvement Program (TIP) and both conform to the State Implementation Plan (SIP). Therefore, the conformity requirements of 40 CFR 93 have been met.

The purpose of this project is to improve the LOS of 109<sup>th</sup> Avenue at the I-65 interchange by constructing two roundabouts at the ramps of the interchange. The percentage of truck traffic within the project area is not projected to increase through the design year (2042). This project has been determined to generate minimal air quality impacts for Clean Air Act criteria pollutants and has not been linked with any special mobile source air toxic (MSAT) concerns. As such, this project will not result in changes in traffic volumes, vehicle mix, basic project location, or any other factor that would cause a meaningful increase in MSAT impacts of the project from that of the no-build alternative.

Moreover, Environmental Protection Agency (EPA) regulations for vehicle engines and fuels will cause overall MSAT emissions to decline significantly over the next several decades. Based on regulations now in effect, an analysis of national trends with EPA's MOVES2014 model forecasts a combined reduction of over 90 percent in the total annual emissions rate for the priority MSAT from 2010 to 2050 while vehicle-miles of travel are projected to increase by over 45 percent. This will both reduce the background level of MSAT as well as the possibility of even minor MSAT emissions from this project.

### SECTION F - NOISE

**Noise** **Yes** **No**  
 Is a noise analysis required in accordance with FHWA regulations and INDOT's traffic noise policy?

	No	Yes/ Date
<b>ES Review of Noise Analysis</b>	<input type="checkbox"/>	<input type="checkbox"/>

Remarks: This project is a Type III project. In accordance with 23 CFR 772 and the current *Indiana Department of Transportation Traffic Noise Analysis Procedure*, this action does not require a formal noise analysis.

### SECTION G – COMMUNITY IMPACTS

**Regional, Community & Neighborhood Factors**

	Yes	No
Will the proposed action comply with the local/regional development patterns for the area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Will the proposed action result in substantial impacts to community cohesion?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will the proposed action result in substantial impacts to local tax base or property values?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will construction activities impact community events (festivals, fairs, etc.)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the community have an approved transition plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If No, are steps being made to advance the community's transition plan?	<input type="checkbox"/>	<input type="checkbox"/>
Does the project comply with the transition plan? (explain in the remarks box)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Remarks: This project will comply with the local and regional development patterns in the area. It is accurately reflected in both the Indiana STIP and the MPO TIP. It will not have a substantial impact to community cohesion, or local tax bases and property values. The website [www.fairsandfestivals.net](http://www.fairsandfestivals.net) was reviewed to determine if the project would impact any community fairs or festivals in the vicinity of the project area. No fairs and festivals are planned within a 10-mile radius of the project area.

The City of Crown Point and Lake County have approved Americans with Disabilities Act (ADA) Transition Plans. The ADA Transition Plans ensure that a municipality is aware of the facilities that it currently manages as well as plans for ADA compliance in future facilities. This project complies with the City of Crown Point and Lake County ADA

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Transition Plans because it will not restrict access to any ADA facilities upon completion of the project and it does not involve any modifications to existing ADA facilities. This project will have a net positive effect on the community because it will ensure adequate handling of vehicular travel volumes through the improvements to the existing facility.

**Indirect and Cumulative Impacts**

Will the proposed action result in substantial indirect or cumulative impacts?

<b>Yes</b>	<b>No</b>
	X

Remarks:

Indirect impacts are effects which are caused by the action and are later in time or farther removed in distance but are still reasonably foreseeable. Indirect effects may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density, or growth rate. Cumulative impacts affect the environment which result from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such actions.

This project will have a net positive effect on the community by improving traffic flow in the vicinity of the project area. The project will not cause any substantial negative indirect or cumulative impacts to the surrounding community. This project will not change the patterns of land use, population density, or change the growth rate in the vicinity of the project area because it involves an existing facility and will not have a substantial impact on the surrounding properties.

**Public Facilities & Services**

Will the proposed action result in substantial impacts on health and educational facilities, public and private utilities, emergency services, religious institutions, airports, public transportation or pedestrian and bicycle facilities? *Discuss how the maintenance of traffic will affect public facilities and services.*

<b>Yes</b>	<b>No</b>
	X

Remarks:

Based on a desktop review, a site visit on February 22, 2019 and May 22, 2019 by Green 3, LLC, the 2016 aerial map of the project area (Appendix B, page 3), the utilities list in the project plans (Appendix B, page 10), and the RFI report (Appendix E, page 26), there is one existing trail, bus and emergency service routes, and public utilities located within the 0.5 mile of the project. There are no public airports within 3.8 miles (20,000) feet of the project area. The City of Crown Point public water line, a public gas line and public electric lines, and bus and emergency service routes are within or adjacent to the project area. Early coordination letters were sent to the public water utilities and coordination between the project engineer and public gas utility is ongoing. The public water and gas lines will not be permanently or temporarily impacted as a result of this project. Public electrical lines will be relocated to accommodate the widened pavement and roundabouts. Emergency service and bus routes will be temporarily impacted by the closure but will retain access to 109<sup>th</sup> Avenue and I-65 through the detour. All temporary impacts to public facilities and services will cease upon project completion. Access to all properties in the vicinity of the project will be maintained throughout construction.

Early coordination letters were sent to on February 28, 2019. Re-coordination letters were sent on January 30, 2020 due to the change in the scope and footprint of the project. Early coordination letters were sent to the Crown Point mayor's office, the Crown Point City Council, the Lake County Highway Department, and the Lake County Surveyor on February 28, 2019 and again on January 30, 2020. The Crown Point mayor's office, the Crown Point City Council, the Lake County Highway Department, and the Lake County Surveyor did not respond to the early coordination letter.

It is the responsibility of the project sponsor to notify school corporations and emergency services at least two weeks prior to any construction that would block or limit access.

**Environmental Justice (EJ) (Presidential EO 12898)**

During the development of the project were EJ issues identified?

Does the project require an EJ analysis?

If YES, then:

Are any EJ populations located within the project area?

Will the project result in adversely high or disproportionate impacts to EJ populations?

<b>Yes</b>	<b>No</b>
	X
X	
X	X

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Remarks: Under FHWA Order 6640.23A, FHWA and the project sponsor, as a recipient of funding from FHWA, are responsible to ensure that their programs, policies, and activities do not have a disproportionately high and adverse effect on minority or low-income populations. Per the current INDOT Categorical Exclusion Manual, an Environmental Justice (EJ) Analysis is required for any project that has two or more relocations or 0.5 acre of additional permanent right-of-way. The project will require approximately 1.089 acres of permanent ROW from residential (0.342 acre), commercial (0.355 acre), and agricultural (0.392 acre) property, all of which is within Census Tract 432.02. Therefore, an EJ Analysis is required.

Potential EJ impacts are detected by locating minority and low-income populations relative to a reference population to determine if populations of EJ concern exists and whether there could be disproportionately high and adverse impacts to them. The reference population may be a county, city or town and is called the community of comparison (COC). In this project, the COC is Center Township, Lake County, Indiana. The community that overlaps the project area is called the affected community (AC). In this project, the AC is Census Tract 432.02. An AC has a population of concern for EJ if the population is more than 50% minority or low-income or if the low-income or minority population is 125% of the COC. Data from the 2017 census projections was obtained from the US Census Bureau Website <https://factfinder.census.gov/> on April 13, 2020 by Green 3, LLC. The data collected for minority and low-income populations within the AC are summarized in the below table.

Table: Minority and Low-Income Data (US Census Data, 2017)		
	COC – Center Township, Lake County	AC-1 - Census Tract 432.02, Lake County, Indiana
Percent Minority	11.0%	18.1%
125% of COC	13.7%	AC >125% COC
EJ Population of Concern		Yes
Percent Low-Income	7.3%	5.6%
125% of COC	9.1%	AC < 125% COC
EJ Population of Concern		No

AC-1, Census Tract 432.02, has a percent minority of 18.1% which is below 50% but is above the 125% COC threshold. Therefore, AC-1 does contain minority populations of EJ concern.

AC-1, Census Tract 432.02, has a percent low-income of 5.6% which is below 50% and is below the 125% COC threshold. Therefore, AC-1 does not contain low-income populations of EJ concern.

This project will require approximately 1.089 acre of ROW and no relocations. ROW acquisition will mostly be strips of ROW and will include approximately 0.342 acre from residential land. The remaining ROW will come from commercial and agricultural land. The identified EJ populations will not experience a disproportionally adverse impact because there will be no relocations and there will be no changes in access on the roadway as a result of this project. No permanent physical barriers will be in place that would preclude EJ populations from accessing 109<sup>th</sup> Avenue and temporary detour routes will be made available for temporary interruptions in the use of the facility.

The census data sheets, map, and calculations can be found in Appendix I, pages 3 to 6. No further environmental justice analysis is warranted.

### Relocation of People, Businesses or Farms

Will the proposed action result in the relocation of people, businesses or farms?

Is a Business Information Survey (BIS) required?

Is a Conceptual Stage Relocation Study (CSRS) required?

Has utility relocation coordination been initiated for this project?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

Number of relocations: Residences: 0 Businesses: 0 Farms: 0 Other: 0

If a BIS or CSRS is required, discuss the results in the remarks box.

Remarks: No relocations of people, businesses, or farms will take place as a result of this project. Relocations of public electrical utility lines within the project area will be required to construct the widened pavement. Utility coordination is ongoing for this project.

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### SECTION H – HAZARDOUS MATERIALS & REGULATED SUBSTANCES

**Hazardous Materials & Regulated Substances** (Mark all that apply)

	<u>Documentation</u>
Red Flag Investigation	<input checked="" type="checkbox"/>
Phase I Environmental Site Assessment (Phase I ESA)	<input type="checkbox"/>
Phase II Environmental Site Assessment (Phase II ESA)	<input type="checkbox"/>
Design/Specifications for Remediation required?	<input type="checkbox"/>

	No	Yes/ Date
<b>ES Review of Investigations</b>	<input type="checkbox"/>	May 28, 2019 and April 16, 2020

*Include a summary of findings for each investigation.*

Remarks: Based on a review of GIS and available public records, a RFI was completed on May 28, 2019 by Green 3, LLC (Appendix E, pages 1 to 22), and an addendum to the report was completed on April 16, 2020 by Green 3, LLC (Appendix E, pages 23 to 29). Four NPDES facilities are located within 0.5 mile of the project area; however, no hazmat sites were identified in or within 0.5 mile of the project area that will impact the project. The nearest NPDES facilities are approximately 0.36 south and southwest of the project area. No impacts are expected. A Citgo Gas Station was recently constructed approximately 0.05 mile east of the project area. No evidence of a spill is available in the GIS or available public records and no construction will occur in the vicinity of this facility. No impact is expected. Further investigation for hazardous material concerns is not required at this time.

### SECTION I – PERMITS CHECKLIST

Permits (mark all that apply)

Likely Required

**Army Corps of Engineers (404/Section10 Permit)**

Individual Permit (IP)	<input type="checkbox"/>
Nationwide Permit (NWP)	<input type="checkbox"/>
Regional General Permit (RGP)	<input checked="" type="checkbox"/>
Pre-Construction Notification (PCN)	<input type="checkbox"/>
Other	<input type="checkbox"/>
Wetland Mitigation required	<input type="checkbox"/>
Stream Mitigation required	<input type="checkbox"/>

**IDEM**

Section 401 WQC	<input checked="" type="checkbox"/>
Isolated Wetlands determination	<input type="checkbox"/>
Rule 5	<input checked="" type="checkbox"/>
Other	<input type="checkbox"/>
Wetland Mitigation required	<input checked="" type="checkbox"/>
Stream Mitigation required	<input type="checkbox"/>

**IDNR**

Construction in a Floodway	<input checked="" type="checkbox"/>
Navigable Waterway Permit	<input type="checkbox"/>
Lake Preservation Permit	<input type="checkbox"/>
Other	<input type="checkbox"/>
Mitigation Required	<input type="checkbox"/>

**US Coast Guard Section 9 Bridge Permit**

**Others (Please discuss in the remarks box below)**


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Remarks: A USACE Section 404 RGP will be required for impacts to wetlands and stream. An IDEM Section 401 IP will be required for impacts to streams and wetlands. Mitigation for impacts to wetlands are anticipated because they are above the 0.1 acre threshold. Mitigation for impacts streams is not anticipated to be required because they will be less than the 300 feet threshold. An IDEM Rule 5 permit will be required because the construction area is greater than 1 acre in size. The IDNR responded to the early coordination letter on March 28, 2019 and again on February 26, 2020 and stated that formal approval pursuant to the Flood Control Act will be required (Appendix C, pages 15 to 17 and 21), therefore, a construction in a floodway permit with the IDNR will be required for impacts within the floodway of UNT 1 to Main Beaver Dam Ditch. Mitigation for disturbances to vegetation are anticipated to be required as a condition of that permit.

Applicable recommendations provided by the IDNR are included in the Environmental Commitments section of this document. If permits are found to be necessary, the conditions of the permit will be requirements of the project and will supersede these recommendations.

It is the responsibility of the project sponsor to identify and obtain all required permits.

### SECTION J- ENVIRONMENTAL COMMITMENTS

*The following information should be provided below: List all commitments, name of agency/organization requesting the commitment(s), and indicating which are firm and which are for further consideration. The commitments should be numbered.*

Remarks: **Firm:**

1. If the scope of work or permanent or temporary right-of-way amounts change, the INDOT Environmental Services Division (ESD) and the INDOT District Environmental Section will be contacted immediately. (INDOT ESD and INDOT District)
2. It is the responsibility of the project sponsor to notify school corporations and emergency services at least two weeks prior to any construction that would block or limit access. (INDOT ESD)
3. Any work in a wetland area within right-of-way or in borrow/waste areas is prohibited unless specifically allowed in the U.S. Army Corps of Engineers permit. (INDOT ESD)
4. USFWS Bridge/Structure Assessment shall take place no earlier than two (2) years prior to the start of construction. If construction will begin after May 22, 2021, an inspection of the structure by a qualified individual, must be performed. Inspection of the structure should check for presence of bats/bat indicators and/or presence of birds. The results of the inspection must indicate no signs of bats or birds. If signs of bats or birds are documented during this inspection, the INDOT District Environmental Manager must be contacted immediately. (INDOT ESD)
5. The nearest segment is within the immediate project area and is associated with an unnamed tributary to Beaver Dam Ditch. A review of the IDEM 303d map tool verified that this unnamed tributary to Beaver Dam Ditch is listed as impaired by Ammonia, *E. coli*, an impaired biotic community, and nutrients. Workers who are working in or near water with *E. coli* should take care to wear appropriate PPE, observe proper hygiene procedures, including regular hand washing, and limit personal exposure. (INDOT SAM)
6. **GENERAL AMM 1:** Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable AMMs. (USFWS)
7. **LIGHTING AMM 1:** Direct temporary lighting away from suitable habitat during the active season. (USFWS)
8. **LIGHTING AMM 2:** When installing new or replacing existing permanent lights, use downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting); or for those transportation agencies using the BUG system developed by the Illuminating Engineering Society, be as close to 0 for all three ratings with a priority of "uplight" of 0 and "backlight" as low as practicable. (USFWS)
9. **TREE REMOVAL AMM 1:** Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to avoid tree removal. (USFWS)
10. **TREE REMOVAL AMM 2:** Apply time of year restrictions for tree removal when bats are not likely to be present, or limit tree removal to 10 or fewer trees per project at any time of year within 100 feet of existing road/rail surface and **outside of documented** roosting/foraging habitat or travel corridors; visual emergence survey must be conducted with no bats observed. (USFWS, IDNR)
11. **TREE REMOVAL AMM 3:** Ensure tree removal is limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits). (USFWS)
12. **TREE REMOVAL AMM 4:** Do not remove **documented** Indiana bat or NLEB roosts that are still suitable

This is page 26 of 28 Project name: I-65 at 109<sup>th</sup> Avenue Interstate Access Project Date: October 16, 2020

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- for roosting, or trees within 0.25 miles of roosts, or **documented** foraging habitat any time of year. (USFWS)
13. Based on the findings and recommendations in the TMDL and watershed management plan, NIRPC encourages INDOT to design and incorporate post-construction storm water best management practices that focus on increased storage, reduction in peak flow rates and sediment loading. Possible BMPs identified in the TMDL and watershed management plan that could be retrofitted into the transportation system ROW include, but are not necessarily limited to, a bioretention or stormwater wetland facility. Additional BMPs may be warranted as part of a treatment train to reduce velocities or provide pretreatment. Incorporation of native plantings (herbaceous, shrubs, trees) to enhance pollinator habitat is also strongly encouraged as part of the design. (NIRPC)

**For Further Consideration:**

14. If box or pipe culverts are used, the bottoms should be buried to a minimum of 6" (or 20% of the culvert height/pipe diameter, whichever is greater up to a maximum of 2') below the stream bed elevation to allow a natural streambed to form within or under the crossing structure. Crossings should: span the entire channel width (a minimum of 1.2 times the bankful width); maintain the natural stream substrate within the structure; have a minimum openness ratio (height x width/length) of 0.25; and have stream depth and water velocities during low-flow conditions that are approximate to those in the natural stream channel. The new, replacement, or rehabbed structure should not create conditions that are less favorable for wildlife passage under the structure compared to the current conditions. (IDNR)
15. Riprap must not be placed in the active thalweg channel or placed in the streambed in a manner that precludes fish or aquatic organism passage (riprap must not be placed above the existing streambed elevation). Riprap may be used only at the toe of the sideslopes up to the ordinary high water mark (OHWM). The banks above the OHWM must be restored, stabilized, and revegetated using geotextiles and a mixture of grasses, sedges, wildflowers, shrubs, and trees native to [site indicated] and specifically for stream bank/floodway stabilization purposes as soon as possible upon completion. (IDNR)
16. Do not construct any temporary runarounds, access bridges, causeways, cofferdams, diversions, or pumparounds without prior written approval from the Division of Fish and Wildlife. (IDNR)
17. Impacts to non-wetland forest of one (1) acre or more should be mitigated at a minimum 2:1 ratio. If less than one acre of non-wetland forest is removed in a rural setting, replacement should be at a 1:1 ratio based on area. Impacts to nonwetland forest under one (1) acre in an urban setting should be mitigated by planting five trees, at least 2 inches in diameter-at-breast height (dbh), for each tree which is removed that is 10 inches dbh or greater (5:1 mitigation based on the number of large trees). (IDNR)

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### SECTION K- EARLY COORDINATION

*Please list the date coordination was sent and all agencies that were contacted as a part of the development of this Environmental Study. Also, include the date of their response or indicate that no response was received. INDOT and FHWA are automatically considered early coordination participants and should only be listed if a response is received.*

Remarks: An Early Coordination packet was sent to regulatory agencies on February 28, 2019 and again on January 30, 2020 with a response deadline of March 28, 2019 and March 1, 2020, respectively. INDOT and FHWA are automatically contacted as a part of all federally funded transportation projects. The Early Coordination packet contained project graphics and ground-level photographs of the project area. A sample of the Early Coordination letter that was sent to the regulatory agencies can be found in Appendix C, pages 1 to 2 and 18 to 19. Responses received from agencies are listed below. Agencies that did not issue a response to the Early Coordination Packet are marked as "No Response Received".

Agency	Response Date
INDOT Public Involvement Office	March 1, 2019
USFWS	March 4, 2019 and February 7, 2020
IGS	March 28, 2019
IDEM	March 28, 2019
IDNR	March 28, 2019 and February 26, 2020
Northwest Indiana Regional Planning Commission	February 28, 2020
USFWS IPaC Species List	July 14, 2020
INDOT IPaC Approval	July 14, 2020
USFWS IPaC Concurrence Letter	July 14, 2020
USACE Chicago District	No Response Received
Natural Resource Conservation Service	No Response Received
National Park Service	No Response Received
US Department of Housing and Urban Development	No Response Received
IDEM Groundwater Division	No Response Received
Lake County Surveyor	No Response Received
Lake County Floodplain Administrator	No Response Received
Lake County Highway Department	No Response Received
Crown Point MS4 Coordinator	No Response Received
Crown Point City Council	No Response Received
Crown Point Mayor's Office	No Response Received

# Des No 1801500 CE-4 Appendices

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Des 1801500 CE-4

Appendix A

CE Threshold Chart

## Categorical Exclusion Level Thresholds

	PCE	Level 1	Level 2	Level 3	Level 4 <sup>1</sup>
<b>Section 106</b>	Falls within guidelines of Minor Projects PA	"No Historic Properties Affected"	"No Adverse Effect"	-	"Adverse Effect" Or Historic Bridge involvement <sup>2</sup>
<b>Stream Impacts</b>	No construction in waterways or water bodies	< 300 linear feet of stream impacts	≥ 300 linear feet of stream impacts	-	Individual 404 Permit
<b>Wetland Impacts</b>	No adverse impacts to wetlands	< 0.1 acre	-	< 1 acre	≥ 1 acre
<b>Right-of-way<sup>3</sup></b>	Property acquisition for preservation only or none	< 0.5 acre	≥ 0.5 acre	-	-
<b>Relocations</b>	None	-	-	< 5	≥ 5
<b>Threatened/Endangered Species (Species Specific Programmatic for Indiana bat &amp; northern long eared bat)</b>	"No Effect", "Not likely to Adversely Affect" (Without AMMs <sup>4</sup> or with AMMs required for all projects <sup>5</sup> )	"Not likely to Adversely Affect" (With any other AMMs)	-	"Likely to Adversely Affect"	Project does not fall under Species Specific Programmatic
<b>Threatened/Endangered Species (Any other species)</b>	Falls within guidelines of USFWS 2013 Interim Policy	"No Effect", "Not likely to Adversely Affect"	-	-	"Likely to Adversely Affect"
<b>Environmental Justice</b>	No disproportionately high and adverse impacts	-	-	-	Potential <sup>6</sup>
<b>Sole Source Aquifer</b>	Detailed Assessment Not Required	-	-	-	Detailed Assessment
<b>Floodplain</b>	No Substantial Impacts	-	-	-	Substantial Impacts
<b>Coastal Zone Consistency</b>	Consistent	-	-	-	Not Consistent
<b>National Wild and Scenic River</b>	Not Present	-	-	-	Present
<b>New Alignment</b>	None	-	-	-	Any
<b>Section 4(f) Impacts</b>	None	-	-	-	Any
<b>Section 6(f) Impacts</b>	None	-	-	-	Any
<b>Added Through Lane</b>	None	-	-	-	Any
<b>Permanent Traffic Alteration</b>	None	-	-	-	Any
<b>Coast Guard Permit</b>	None	-	-	-	Any
<b>Noise Analysis Required</b>	No	-	-	-	Yes
<b>Air Quality Analysis Required</b>	No	-	-	-	Yes <sup>7</sup>
<b>Approval Level</b>	Concurrence by INDOT District Environmental or Environmental Services	Yes	Yes	Yes	Yes
<ul style="list-style-type: none"> <li>• District Env. Supervisor</li> <li>• Env. Services Division</li> <li>• FHWA</li> </ul>				Yes	Yes

<sup>1</sup>Coordinate with INDOT Environmental Services. INDOT will then coordinate with the appropriate FHWA Environmental Specialist.

<sup>2</sup>Any involvement with a bridge processed under the Historic Bridge Programmatic Agreement.

<sup>3</sup>Permanent and/or temporary right-of-way.

<sup>4</sup>AMMs = Avoidance and Mitigation Measures.

<sup>5</sup>AMMs determined by the IPAC decision key to be needed that are listed in the USFWS *User's Guide for the Range-wide Programmatic Consultation for Indiana bat and Northern long-eared bat* as "required for all projects".

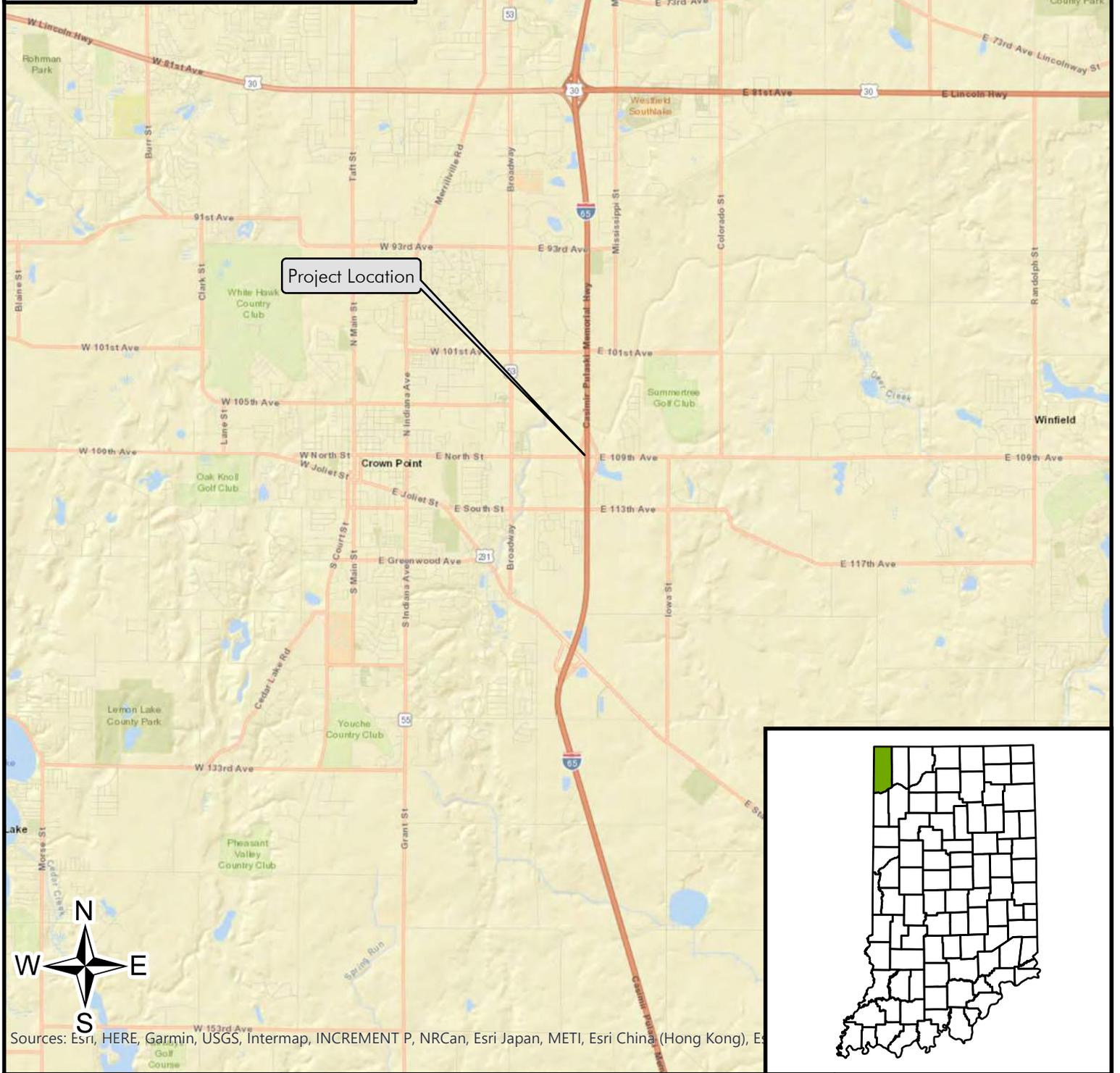
<sup>6</sup>Potential for causing a disproportionately high and adverse impact.

<sup>7</sup>Hot Spot Analysis and/or MSAT Quantitative Emission Analysis.

\*Substantial public or agency controversy may require a higher-level NEPA document.

Des 1801500 CE-4  
Appendix B  
Graphics and Plan Sheets

Project Location Map  
 Interstate Access Project  
 I-65 at 109th Avenue  
 Des. No. 1801500  
 Lake County, Indiana  
 Source: US Geological Survey PLSS



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri

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 Miles

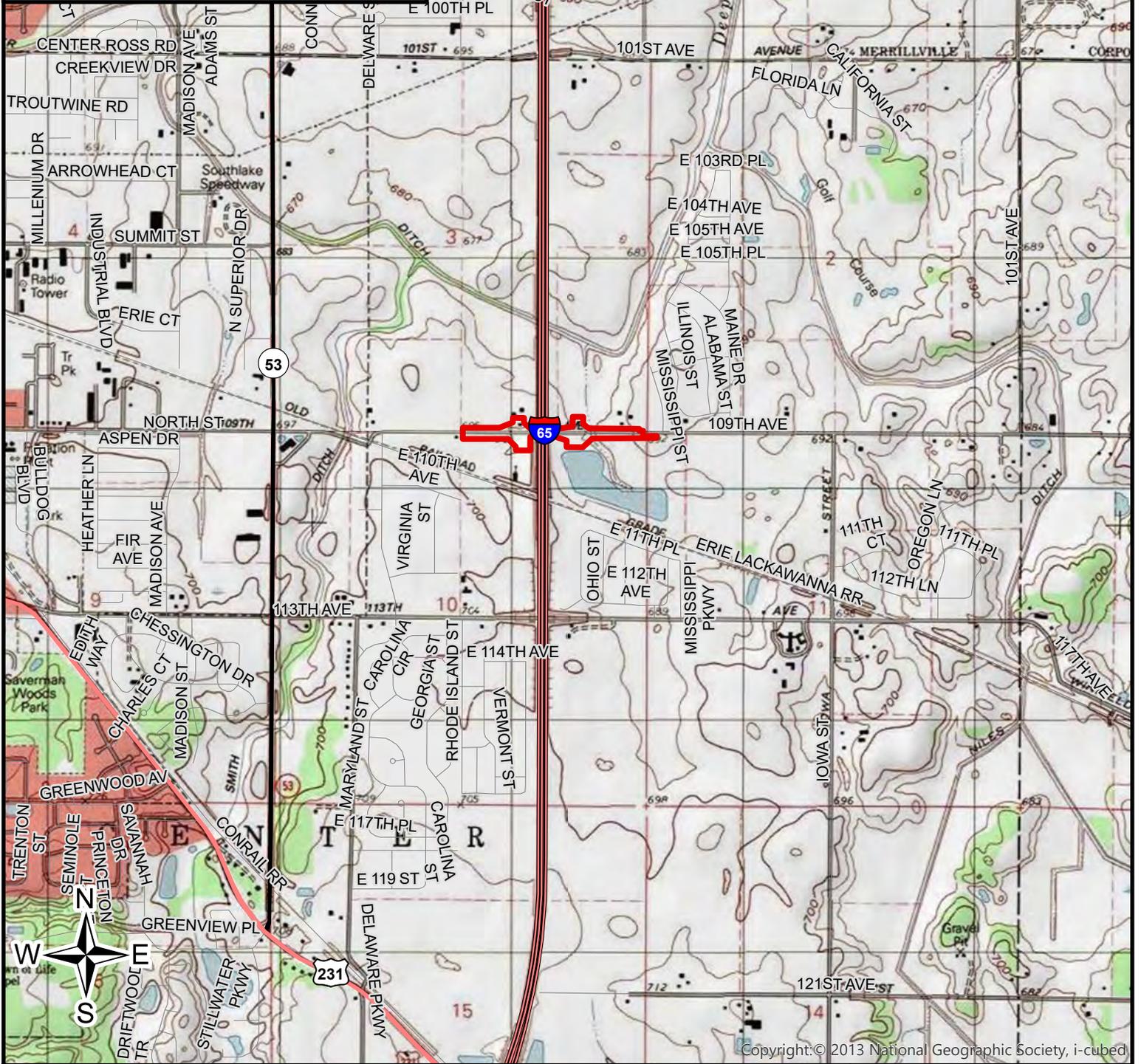
County Boundary  
 Project County



1/22/2020

B-1

Topographic Map (1:24,000)  
 Interstate Access Project  
 I-65 at 109th Avenue  
 Des. No. 1801500  
 Lake County, Indiana  
 Crown Point Quadrangle  
 Source: US Geological Survey



Copyright: © 2013 National Geographic Society, i-cubed

0 0.13 0.25 0.5  
 Miles

 Project Area

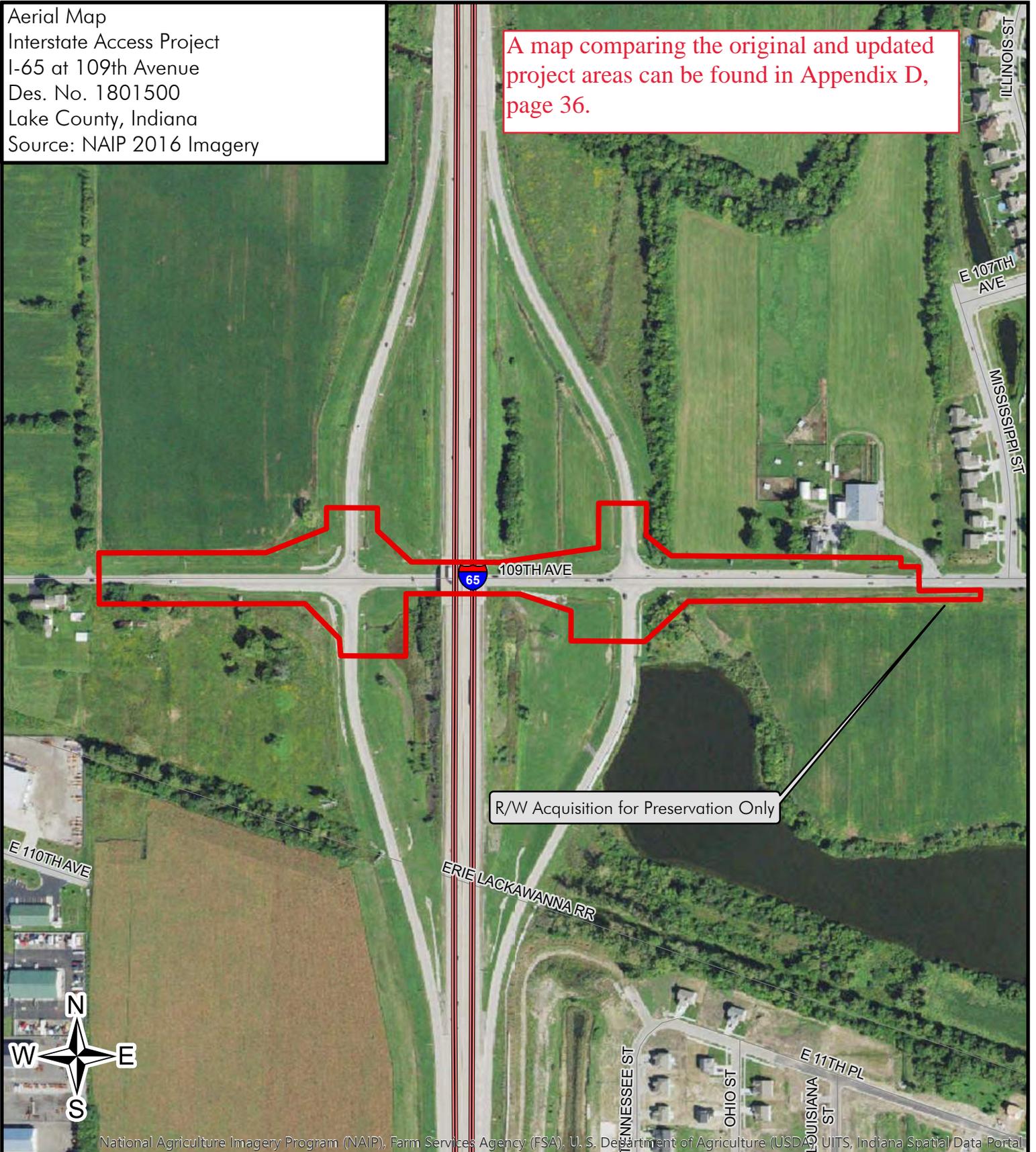


1/30/2020

B-2

Aerial Map  
 Interstate Access Project  
 I-65 at 109th Avenue  
 Des. No. 1801500  
 Lake County, Indiana  
 Source: NAIP 2016 Imagery

A map comparing the original and updated project areas can be found in Appendix D, page 36.



National Agriculture Imagery Program (NAIP), Farm Services Agency (FSA), U. S. Department of Agriculture (USDA), UITS, Indiana Spatial Data Portal

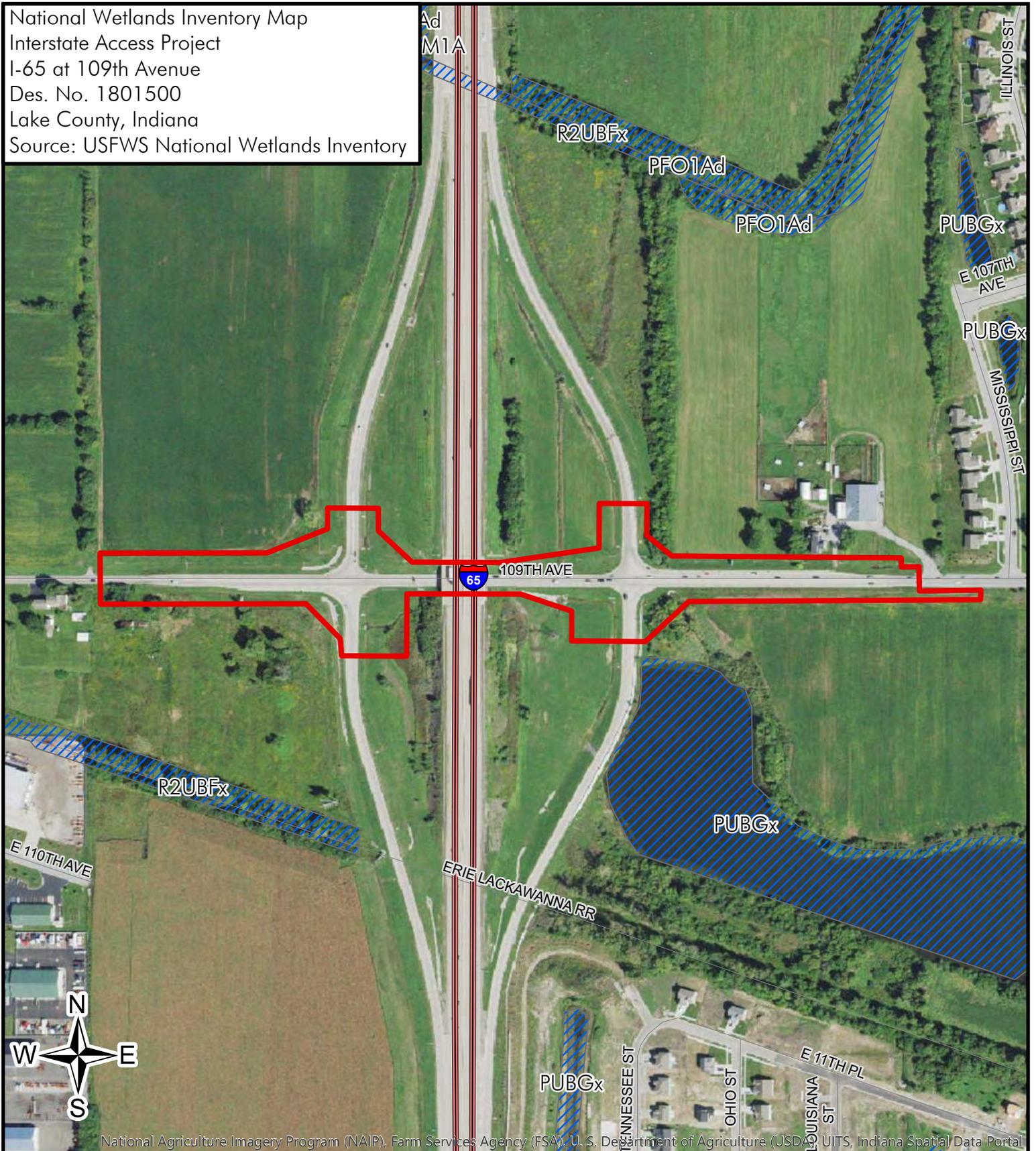
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 Project Area

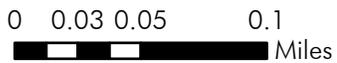


1/30/2020

National Wetlands Inventory Map  
 Interstate Access Project  
 I-65 at 109th Avenue  
 Des. No. 1801500  
 Lake County, Indiana  
 Source: USFWS National Wetlands Inventory



National Agriculture Imagery Program (NAIP), Farm Services Agency (FSA), U. S. Department of Agriculture (USDA), UITS, Indiana Spatial Data Portal

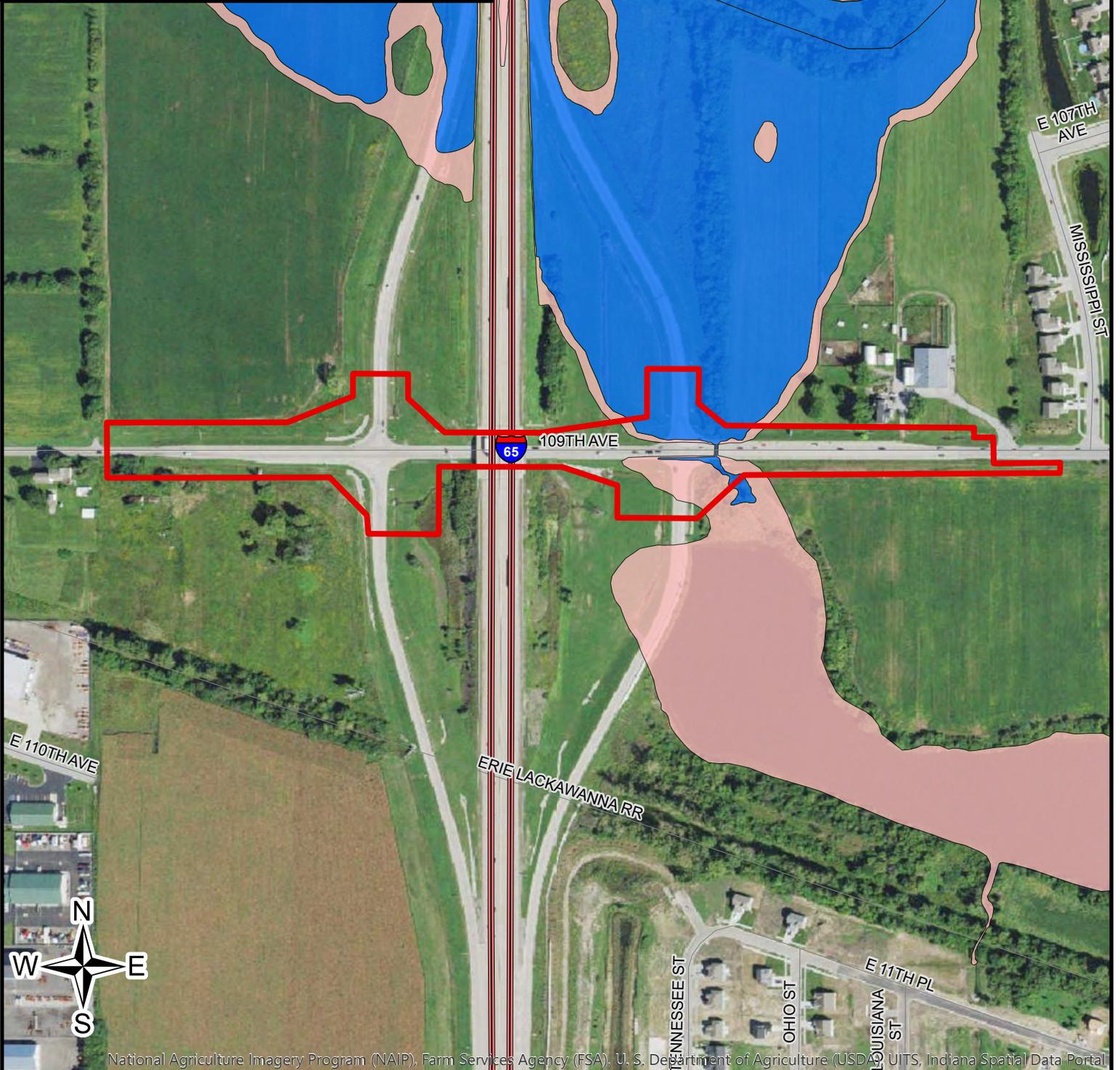


-  Project Area
-  NWI Wetlands



1/30/2020

Floodplains Map  
 Interstate Access Project  
 I-65 at 109th Avenue  
 Des. No. 1801500  
 Lake County, Indiana  
 Source: Indiana Department of Natural Resources



National Agriculture Imagery Program (NAIP), Farm Services Agency (FSA), U. S. Department of Agriculture (USDA), UITS, Indiana Spatial Data Portal

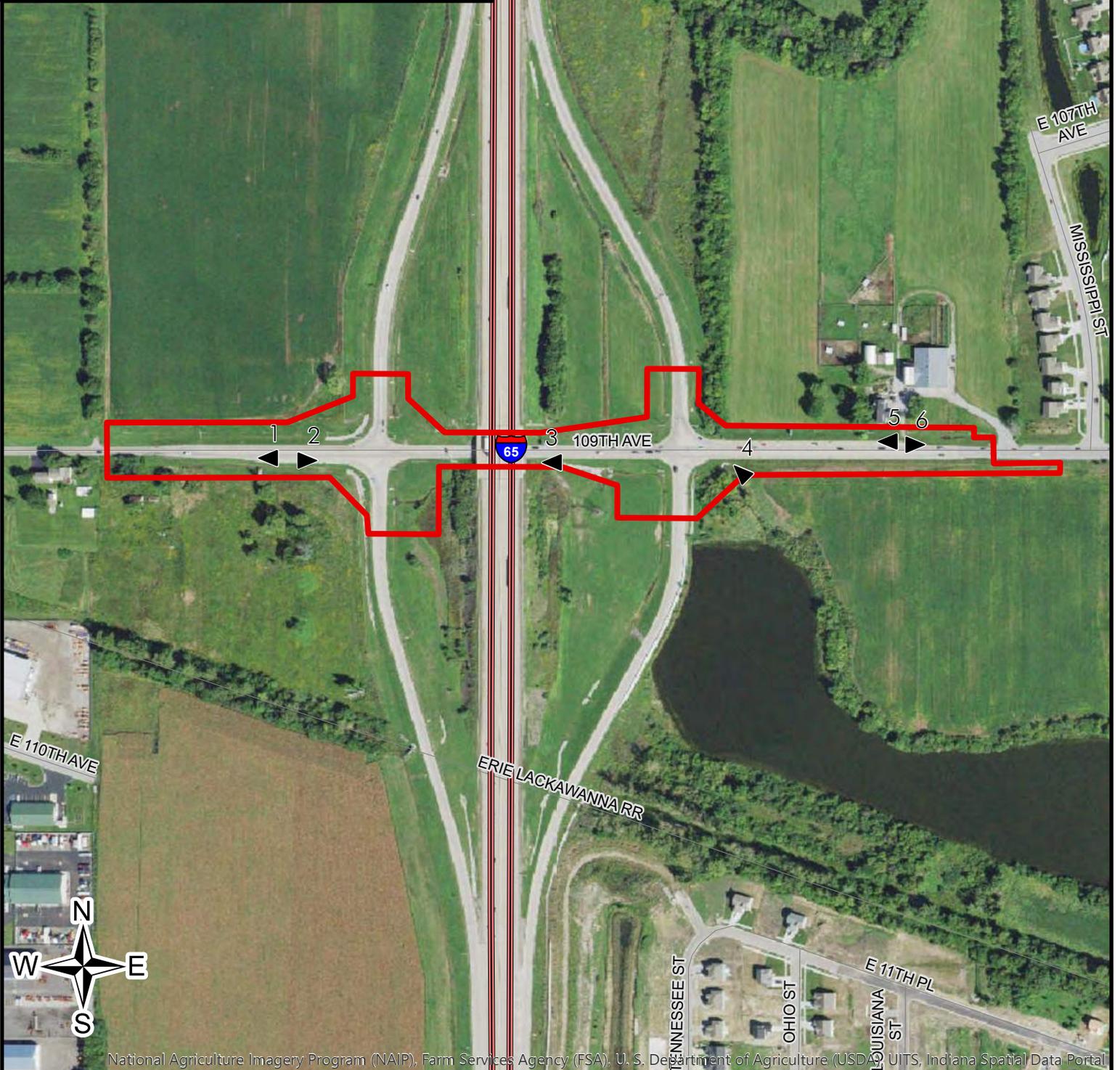
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 Miles

-  Project Area
-  0.2% Annual Chance Flood Hazard
-  1% Annual Chance Flood Hazard



1/30/2020

Photo Location and Orientation Map  
 Interstate Access Project  
 I-65 at 109th Avenue  
 Des. No. 1801500  
 Lake County, Indiana  
 Source: Green 3, LLC Field Survey



National Agriculture Imagery Program (NAIP), Farm Services Agency (FSA), U. S. Department of Agriculture (USDA), UITS, Indiana Spatial Data Portal

0 0.03 0.05 0.1  
 Miles

 Project Area  
 Photo Location



1/30/2020



Photo 1. West Project Terminus Facing West (2/22/2019)



Photo 4. East Side of I-65 Bridges Facing West (5/22/2019)



Photo 2. West Project Terminus Facing East Towards Western Interchange (2/22/2019)



Photo 5. Existing Culvert Facing East Toward Eastern Interchange (5/22/2019)



Photo 5. East Project Terminus Facing West (2/22/2019)



Photo 6. East Project Terminus Facing East (2/22/2019)

PROJECT	DESIGNATION
1801500	1801500
CONTRACT	
R-41341	

Culvert Asset ID	CV 165-045-249.37
------------------	-------------------

# INDIANA DEPARTMENT OF TRANSPORTATION



## ROAD PLANS

# I-65 AND 109TH AVENUE INTERCHANGE IMPROVEMENT

ROUTE: I-65 @ RP 249+0.37

PROJECT NO. 1801500 P.E.

1801500 R/W

1801500 CONST.

### PROJECT DESCRIPTION

INTERCHANGE MODIFICATION AT I-65 AND 109TH AVENUE, LOCATED IN SECTIONS 3 & 10, T-34-N, R-8-W, CENTER TOWNSHIP, LAKE COUNTY, INDIANA.

### TRAFFIC DATA 109TH AVENUE

A.A.D.T. (2022)	17,100 V.P.D.
A.A.D.T. (2042)	22,000 V.P.D.
D.H.V. (2042)	1,869 V.P.H.
DIRECTIONAL DISTRIBUTION	64%
TRUCKS (2042)	10% A.A.D.T. 7% D.H.V.

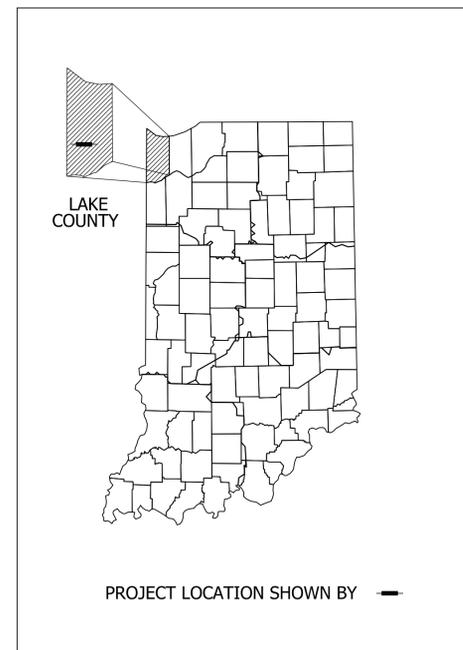
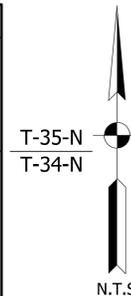
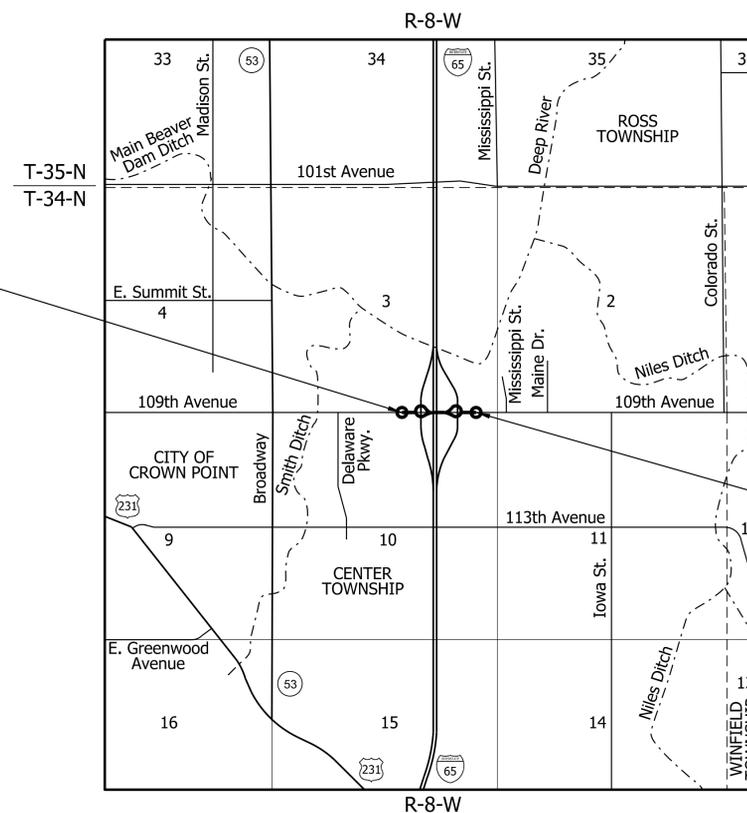
### DESIGN DATA 109TH AVENUE

DESIGN SPEED	40 MPH
PROJECT DESIGN CRITERIA	4R - FULL RECONSTRUCTION
FUNCTIONAL CLASSIFICATION	MINOR ARTERIAL
RURAL/URBAN	URBAN
TERRAIN	LEVEL
ACCESS CONTROL	PARTIAL

BEGIN PROJECT  
PROJECT NO. 1801500  
P.O.T. STA. 41+15.00  
LINE "S-109-B"

END PROJECT  
PROJECT NO. 1801500  
P.O.T. STA. 63+20.00  
LINE "S-109-B"

STAGE TWO PLANS  
APRIL 17, 2020



LATITUDE: 41°25'13" N LONGITUDE: 87°19'17" W

GROSS LENGTH: 0.42 MI.  
NET LENGTH: 0.42 MI.  
MAX. GRADE: 2.0 %

HYDROLOGIC UNIT CODE: 04040001030

INDIANA DEPARTMENT OF TRANSPORTATION  
STANDARD SPECIFICATIONS DATED 2020  
TO BE USED WITH THESE PLANS



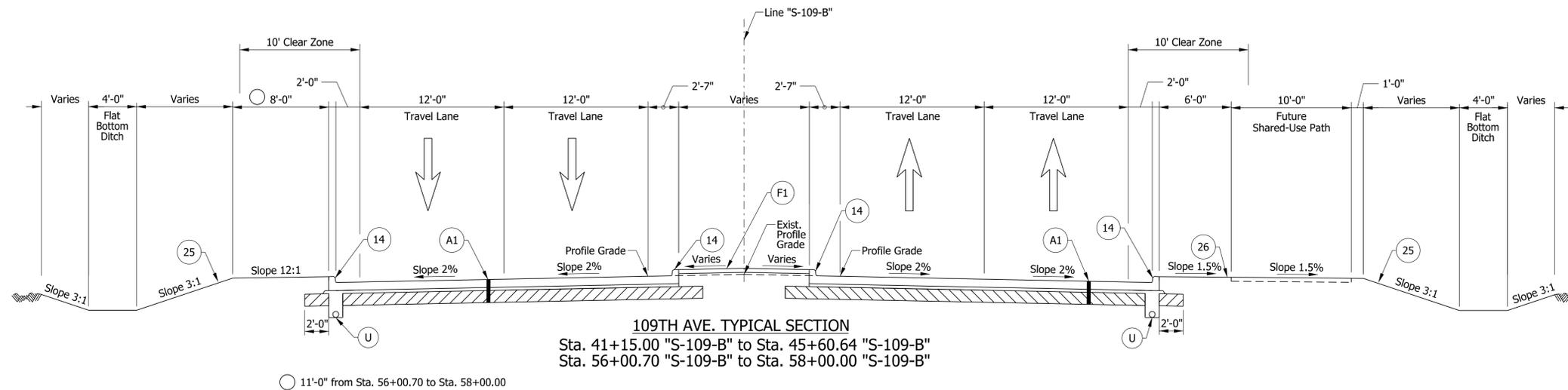
HNTB INDIANA, INC  
THE HNTB COMPANIES  
ENGINEERS ARCHITECTS PLANNERS  
111 MONUMENT CIRCLE  
SUITE 1200  
INDIANAPOLIS, IN 46204

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NOT FOR CONSTRUCTION

PLANS PREPARED BY: \_\_\_\_\_ PHONE NUMBER \_\_\_\_\_  
CERTIFIED BY: \_\_\_\_\_ DATE \_\_\_\_\_  
APPROVED FOR LETTING: \_\_\_\_\_ DATE \_\_\_\_\_  
INDIANA DEPARTMENT OF TRANSPORTATION

SURVEY BOOK	SHEETS	TI-1
Electronic	1	of 106
CONTRACT	PROJECT	
R-41341	1801500	



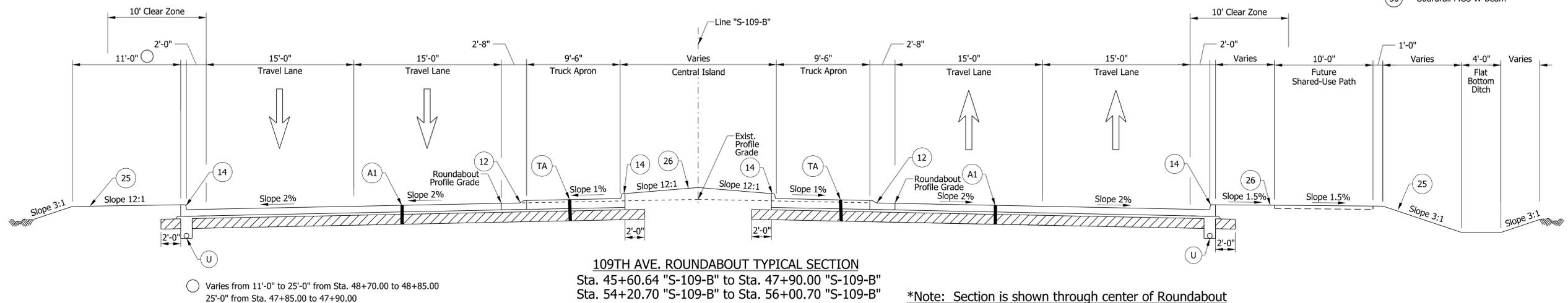


**NOTE TO REVIEWER**  
 COORDINATION ONGOING  
 WITH OTHER PROJECTS  
 CONNECTING TO THE CORRIDOR

**NOTE TO REVIEWER**  
 PAVEMENT ASSUMED TO  
 BE CONCRETE. PAVEMENT WILL BE  
 UPDATED UPON COMPLETION  
 OF PAVEMENT DESIGN

**Legend**

- A1 QC/QA-PCCP, 9 in., on Subbase for PCCP consisting of: 3 in. of Compacted Aggregate No. 8, on 6 in. of Compacted Aggregate No. 53, on Subgrade Treatment, Type IB
- F1 Sidewalk, Concrete (Grooved) on 6" Compacted Aggregate, No. 53
- TA 9" PCCP, Decorative, Slate Green on 6" Compacted Aggregate, No. 53
- U 6 In. Underdrain (See Std. Dwg. No. 718-UNDR-02)
- 2 Railing, Concrete FT
- 11 Center Curb, B, Concrete
- 12 Curb, Integral, B, Concrete
- 14 Curb, Integral Concrete (See Std. Dwg. E 605-CCIN-01)
- 25 Seeding, Type U
- 26 Sodding, Nursery
- 27 Soil Nailed Wall
- 29 Riprap, Uniform
- 30 Guardrail MGS W-Beam



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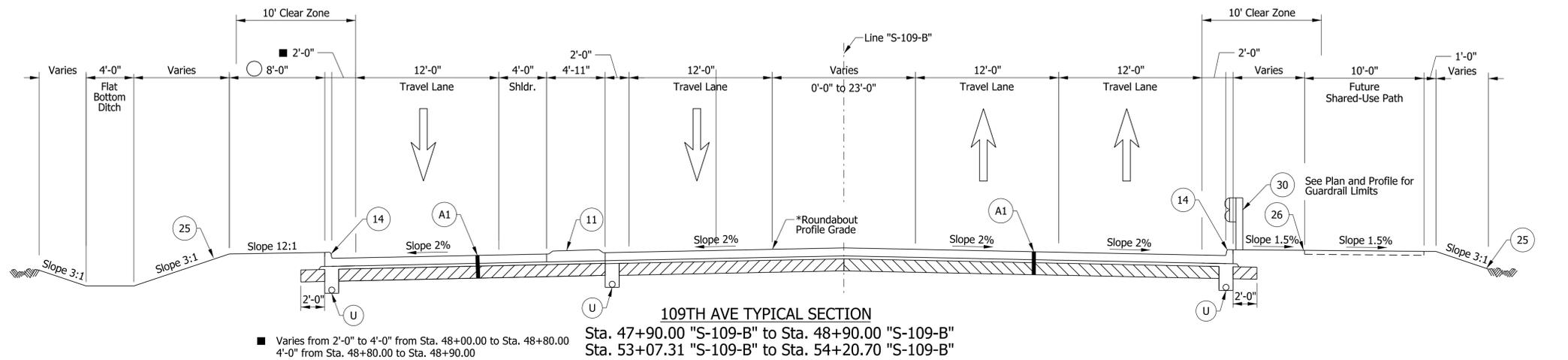
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**INDIANA DEPARTMENT OF TRANSPORTATION**

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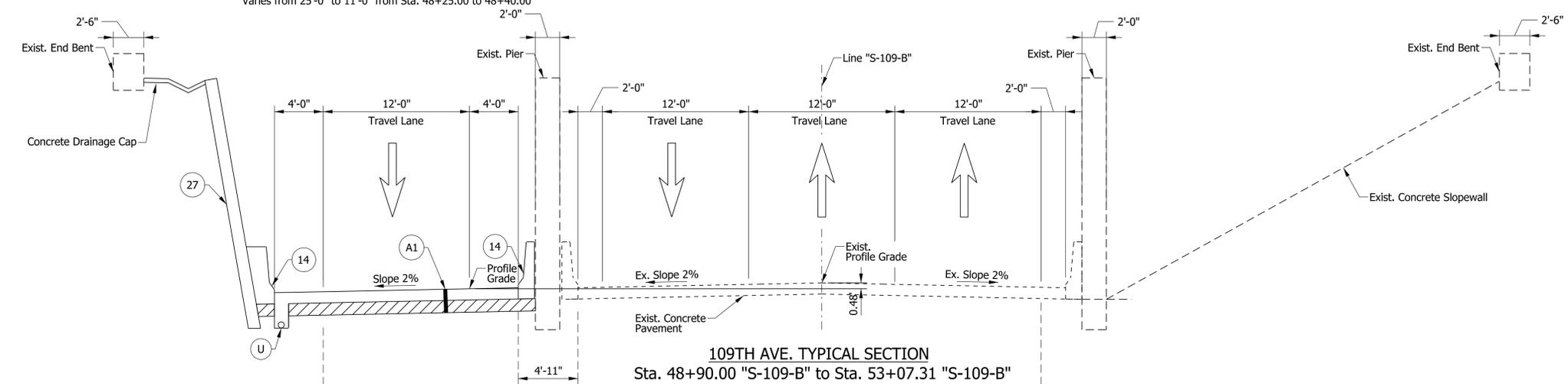
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Electronic	3 of 106
CONTRACT	PROJECT
R-41341	1801500



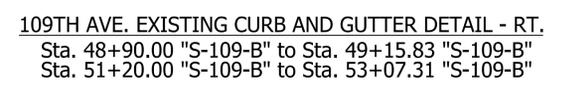
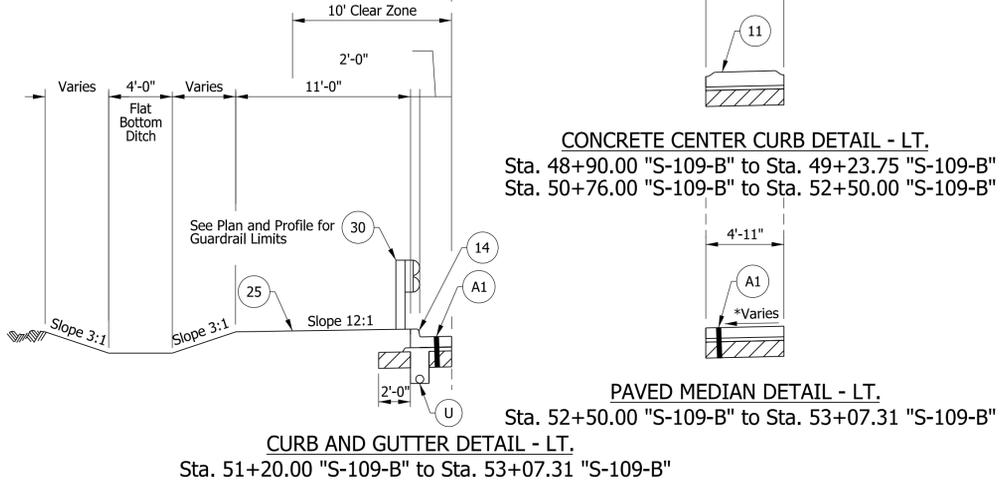
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 4'-0" from Sta. 48+80.00 to Sta. 48+90.00

○ 25'-0" from Sta. 47+90.00 to 48+25.00  
 Varies from 25'-0" to 11'-0" from Sta. 48+25.00 to 48+40.00

**109TH AVE TYPICAL SECTION**  
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 Sta. 53+07.31 "S-109-B" to Sta. 54+20.70 "S-109-B"



**109TH AVE. TYPICAL SECTION**  
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- Legend**
- (A1) QC/QA-PCCP, 9 in., on Subbase for PCCP consisting of: 3 in. of Compacted Aggregate No. 8, on 6 in. of Compacted Aggregate No. 53, on Subgrade Treatment, Type IB
  - (F1) Sidewalk, Concrete (Grooved) on 6" Compacted Aggregate, No. 53
  - (TA) 9" PCCP, Decorative, Slate Green on 6" Compacted Aggregate, No. 53
  - (U) 6 In. Underdrain (See Std. Dwg. No. 718-UNDR-02)
  - (2) Railing, Concrete FT
  - (11) Center Curb, B, Concrete
  - (12) Curb, Integral, B, Concrete
  - (14) Curb, Integral Concrete (See Std. Dwg. E 605-CCIN-01)
  - (25) Seeding, Type U
  - (26) Sodding, Nursery
  - (27) Soil Nailed Wall
  - (29) Riprap, Uniform
  - (30) Guardrail MGS W-Beam

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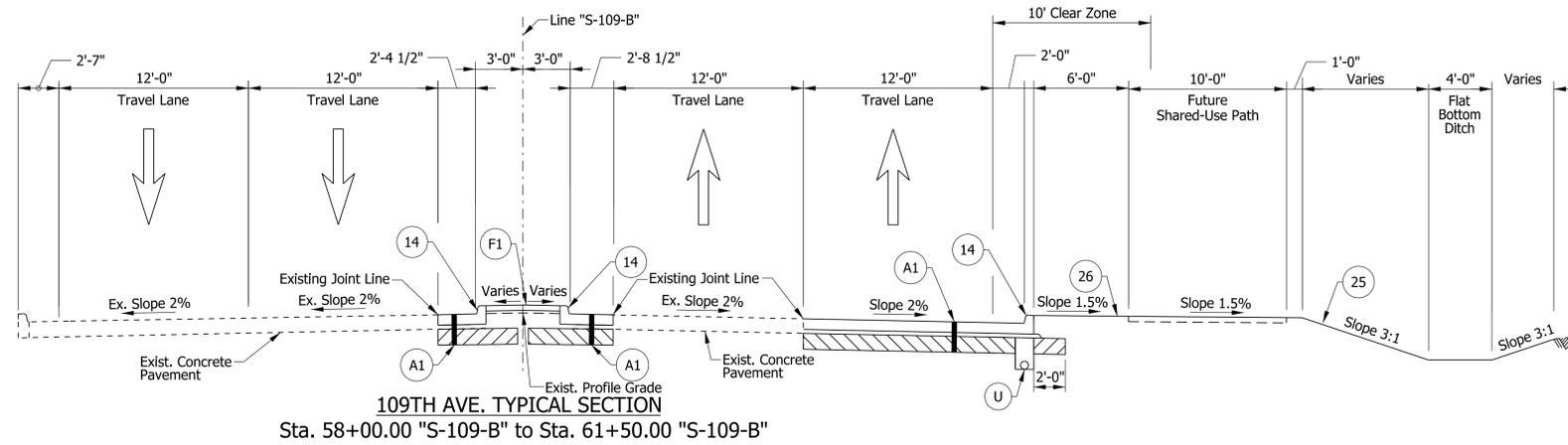
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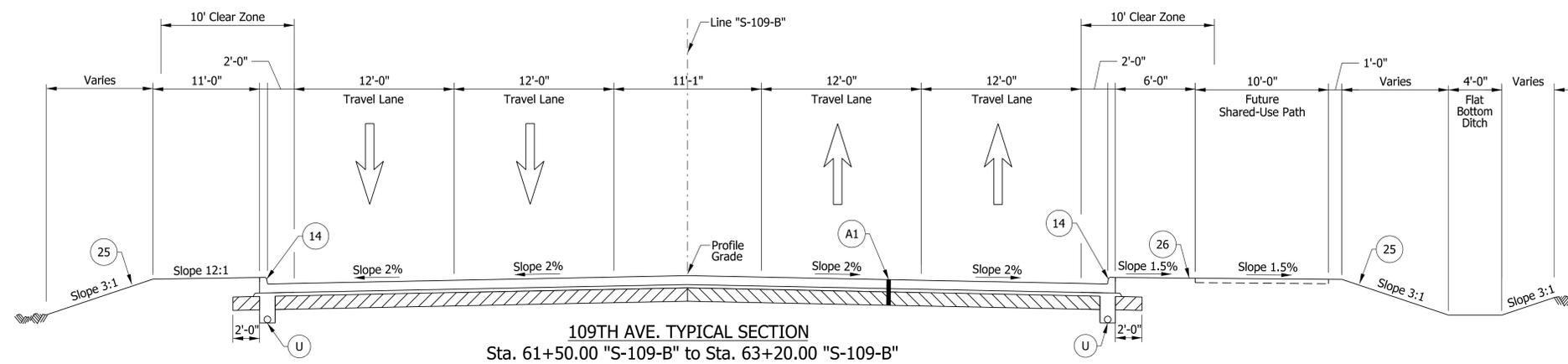
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SURVEY BOOK	SHEETS TS-02
Electronic	4 of 106
CONTRACT	PROJECT
R-41341	1801500



**Legend**

- (A1) QC/QA-PCCP, 9 in., on Subbase for PCCP consisting of: 3 in. of Compacted Aggregate No. 8, on 6 in. of Compacted Aggregate No. 53, on Subgrade Treatment, Type IB
- (F1) Sidewalk, Concrete (Grooved) on 6" Compacted Aggregate, No. 53
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- (14) Curb, Integral Concrete (See Std. Dwg. E 605-CCIN-01)
- (25) Seeding, Type U
- (26) Sodding, Nursery
- (27) Soil Nailed Wall
- (29) Riprap, Uniform
- (30) Guardrail MGS W-Beam



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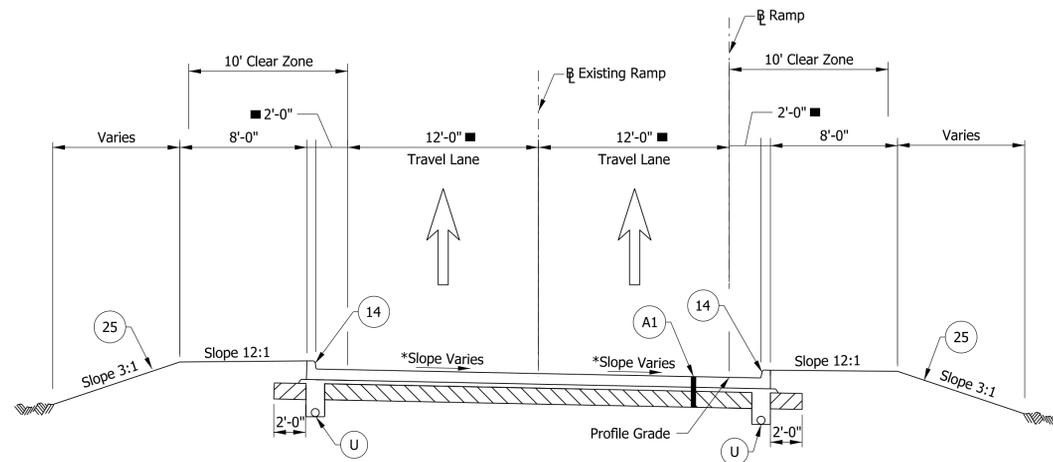
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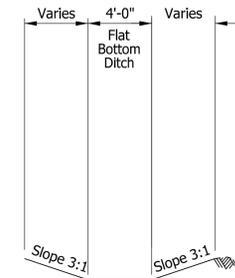
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**ROADWAY TYPICAL CROSS SECTIONS**

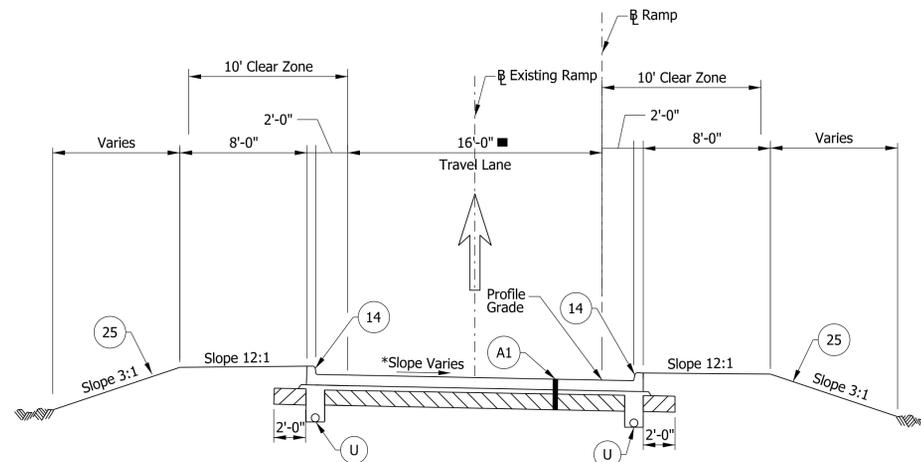
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VERTICAL SCALE	DESIGNATION
N/A	1801500
SURVEY BOOK	SHEETS TS-03
Electronic	5 of 106
CONTRACT	PROJECT
R-41341	1801500



**TWO LANE RAMP TYPICAL SECTION**  
 Sta. 23+12.59 "PR-SE" to Sta. 24+58.09 "PR-SE"  
 Sta. 22+20.00 "PR-NW" to Sta. 24+24.74 "PR-NW"



**RAMP TYPICAL SECTION DETAIL - DITCH RT.**  
 Sta. 23+80 "PR-NW" to Sta. 24+24.74 "PR-NW"  
 Sta. 30+85.75 "PR-SW" to Sta. 31+26.00 "PR-SW"  
 Sta. 23+95 "PR-SE" to Sta. 24+58.09 "PR-SE"



**ONE LANE RAMP TYPICAL SECTION**  
 Sta. 11+00.59 "PR-NE" to Sta. 13+00.00 "PR-NE"  
 Sta. 30+85.75 "PR-SW" to Sta. 32+20.00 "PR-SW"

**Legend**

- A1 QC/QA-PCCP, 9 in., on Subbase for PCCP consisting of: 3 in. of Compacted Aggregate No. 8, on 6 in. of Compacted Aggregate No. 53, on Subgrade Treatment, Type IB
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- 14 Curb, Integral Concrete (See Std. Dwg. E 605-CCIN-01)
- 25 Seeding, Type U
- 26 Sodding, Nursery
- 27 Soil Nailed Wall
- 29 Riprap, Uniform
- 30 Guardrail MGS W-Beam

■ See Construction Details and Roundabout Details for Variations  
 \*See Plan and Profiles for Slope Transitions

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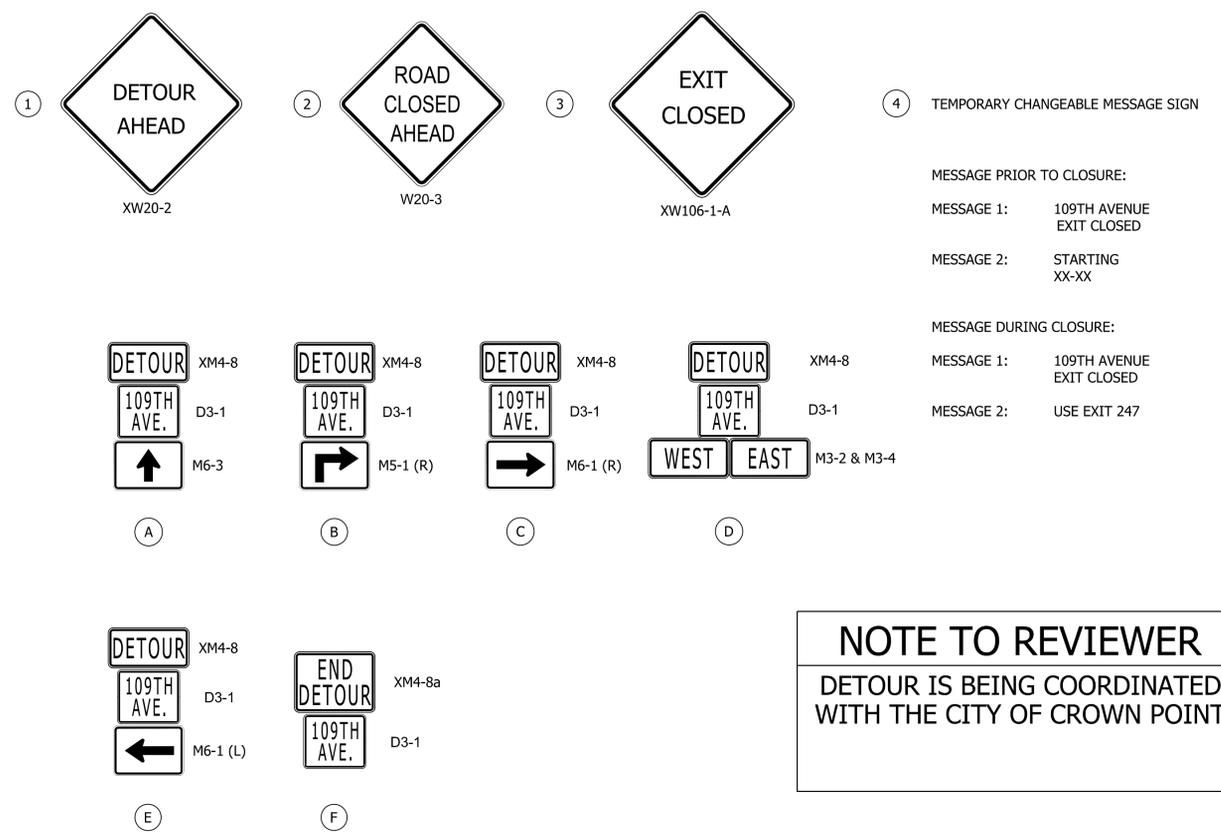
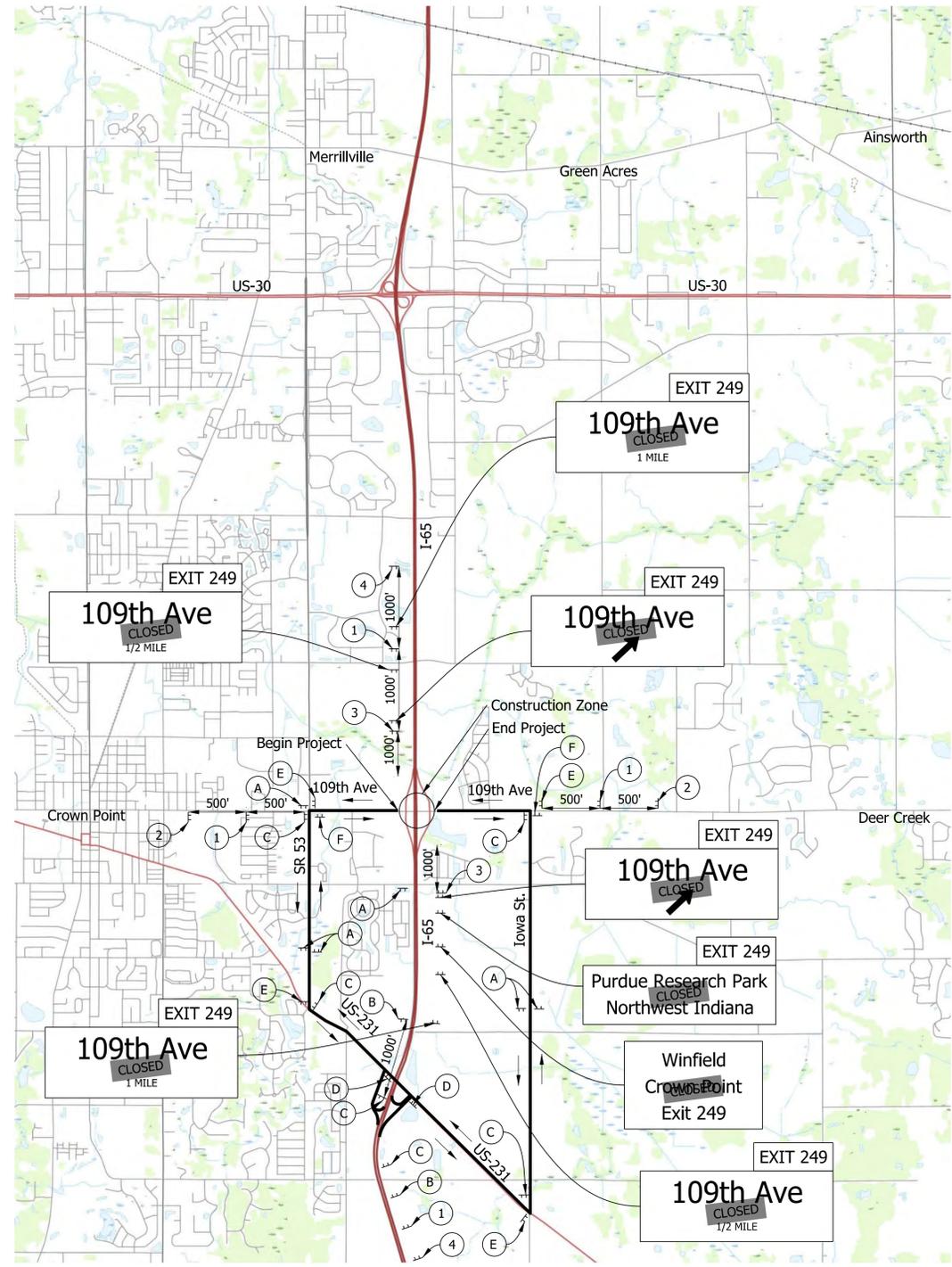
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RECOMMENDED FOR APPROVAL _____	DESIGN ENGINEER _____	DATE _____
DESIGNED: _____ HER _____	DRAWN: _____ CAB _____	
CHECKED: _____ CJS _____	CHECKED: _____ CJS _____	

INDIANA  
 DEPARTMENT OF TRANSPORTATION

ROADWAY TYPICAL CROSS SECTIONS

HORIZONTAL SCALE	BRIDGE FILE
3/16"=1'-0"	N/A
VERTICAL SCALE	DESIGNATION
N/A	1801500
SURVEY BOOK	SHEETS TS-04
Electronic	6 of 106
CONTRACT	PROJECT
R-41341	1801500



**NOTE TO REVIEWER**  
 DETOUR IS BEING COORDINATED WITH THE CITY OF CROWN POINT

MOT SUMMARY		
ITEM	TOTAL	UNIT
PORTABLE CHANGEABLE MESSAGE SIGN	2	EACH
ROAD CLOSURE SIGN ASSEMBLIES	7	EACH
BARRICADE, III-A	168	LFT
BARRICADE, III-B	72	LFT
DETOUR ROUTE MARKER ASSEMBLIES	22	EACH
CONSTRUCTION SIGN, A	20	EACH
CONSTRUCTION SIGN, B	2	EACH
CONSTRUCTION SIGN, C	10	EACH

- NOTE**
- SEE MOT-02 TO MOT-06 FOR SIGN LAYOUT.
  - SEE STANDARD DRAWINGS E 801-TCDT-01 AND E 801-TCDT-02 FOR SIGN SPACING AND LOCATION.
  - SEE STANDARD DRAWING E 801-TCDV-04 THROUGH 08 FOR BARRICADE AND SIGN MOUNTING DETAILS.

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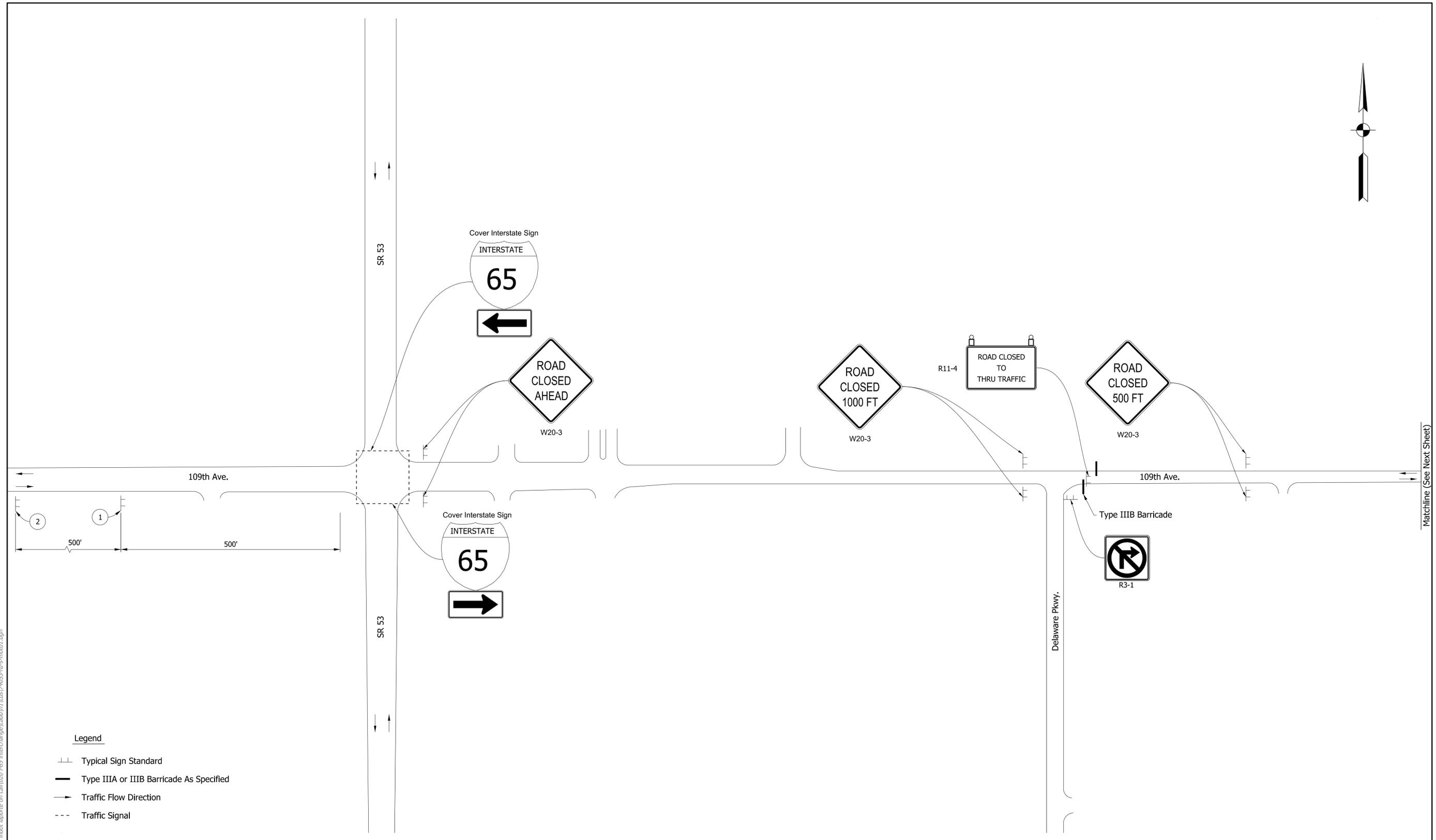
**DRAFT**  
 NOT FOR CONSTRUCTION

RECOMMENDED FOR APPROVAL _____	DESIGN ENGINEER _____	DATE _____
DESIGNED: _____ CAB _____	DRAWN: _____ CAB _____	
CHECKED: _____ CJS _____	CHECKED: _____ HER _____	

INDIANA  
 DEPARTMENT OF TRANSPORTATION

MAINTENANCE OF TRAFFIC DETOUR

HORIZONTAL SCALE	BRIDGE FILE
1"=100'	N/A
VERTICAL SCALE	DESIGNATION
N/A	1801500
SURVEY BOOK	SHEETS MOT-01
Electronic	11 of 106
CONTRACT	PROJECT
R-41341	1801500



**Legend**

- ⊥⊥ Typical Sign Standard
- Type IIIA or IIIB Barricade As Specified
- Traffic Flow Direction
- Traffic Signal

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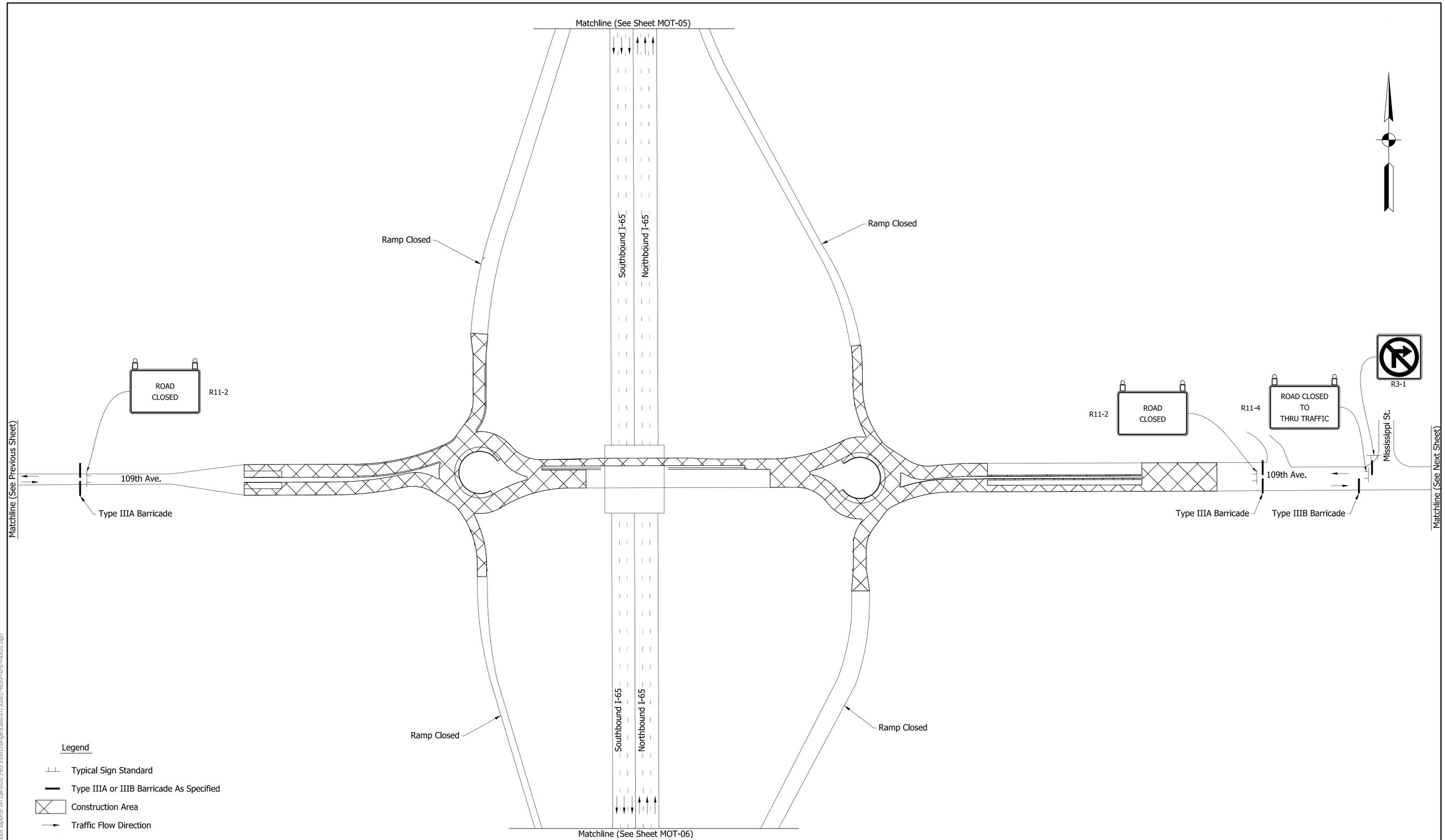
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DESIGNED: _____ CAB _____	DRAWN: _____ CAB _____	
CHECKED: _____ CJS _____	CHECKED: _____ HER _____	

**INDIANA**  
**DEPARTMENT OF TRANSPORTATION**

**MAINTENANCE OF TRAFFIC DETAIL SHEETS**

HORIZONTAL SCALE	BRIDGE FILE
1"=100'	N/A
VERTICAL SCALE	DESIGNATION
N/A	1801500
SURVEY BOOK	SHEETS MOT-02
Electronic	12 of 106
CONTRACT	PROJECT
R-41341	1801500

Matchline (See Next Sheet)



**Legend**

- ⊕ Typical Sign Standard
- Type IIIA or IIIB Barricade As Specified
- ▨ Construction Area
- Traffic Flow Direction

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 NOT FOR CONSTRUCTION

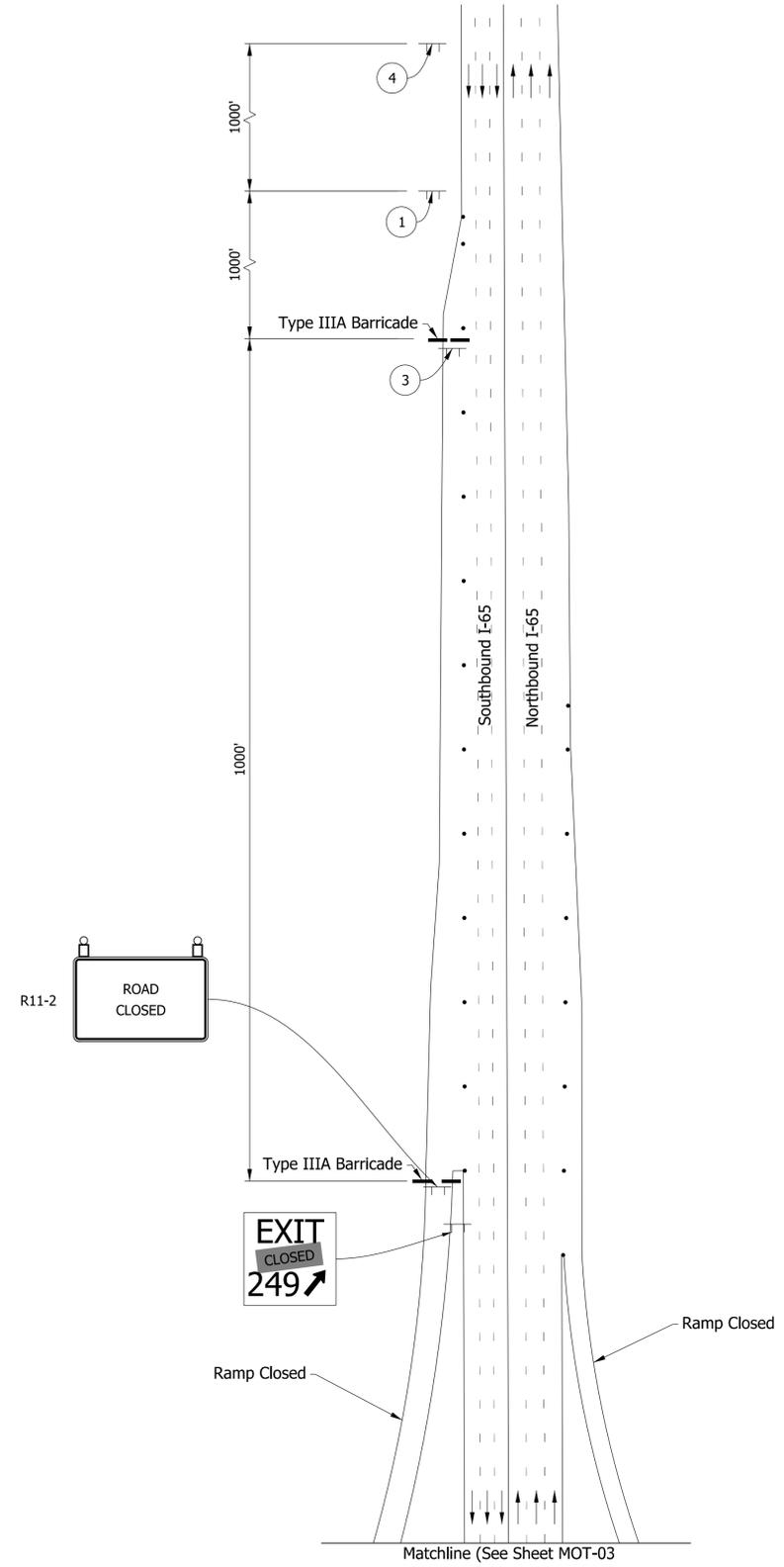
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DESIGNED: CAB	DRAWN: CAB	
CHECKED: CJS	CHECKED: HER	

**INDIANA**  
**DEPARTMENT OF TRANSPORTATION**

**MAINTENANCE OF TRAFFIC DETAIL SHEETS**

HORIZONTAL SCALE	BRIDGE FILE	
1"=100'	N/A	
VERTICAL SCALE	DESIGNATION	
N/A	1801500	
SURVEY BOOK	SHEETS	MOT-03
Electronic	13	of 106
CONTRACT	PROJECT	
R-41341	1801500	





- Legend**
- Typical Sign Standard
  - Type IIIA or IIIB Barricade As Specified
  - Traffic Flow Direction
  - • Standard Drum

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**DRAFT**  
 NOT FOR CONSTRUCTION

RECOMMENDED FOR APPROVAL _____	DESIGN ENGINEER _____	DATE _____
DESIGNED: _____ CAB _____	DRAWN: _____ CAB _____	
CHECKED: _____ CJS _____	CHECKED: _____ HER _____	

**INDIANA**  
**DEPARTMENT OF TRANSPORTATION**

**MAINTENANCE OF TRAFFIC DETAIL SHEETS**

HORIZONTAL SCALE	BRIDGE FILE
1"=100'	N/A
VERTICAL SCALE	DESIGNATION
N/A	1801500
SURVEY BOOK	SHEETS MOT-05
Electronic	15 of 106
CONTRACT	PROJECT
R-41341	1801500

Matchline (See Sheet MOT-03)

Ramp Closed

Ramp Closed

EXIT  
CLOSED  
249 ↗

ROAD  
CLOSED

R11-2

1100'

Southbound I-65

Northbound I-65

3

Type IIIA Barricade



**Legend**

- ⊥ Typical Sign Standard
- Type IIIA or IIIB Barricade As Specified
- Traffic Flow Direction
- • Standard Drum

**DRAFT**  
NOT FOR CONSTRUCTION

RECOMMENDED FOR APPROVAL _____	DESIGN ENGINEER _____	DATE _____
DESIGNED: _____ CAB _____	DRAWN: _____ CAB _____	
CHECKED: _____ CJS _____	CHECKED: _____ HER _____	

**INDIANA  
DEPARTMENT OF TRANSPORTATION**

**MAINTENANCE OF TRAFFIC DETAIL SHEETS**

HORIZONTAL SCALE	BRIDGE FILE
1"=100'	N/A
VERTICAL SCALE	DESIGNATION
N/A	1801500
SURVEY BOOK	SHEETS MOT-06
Electronic	16 of 106
CONTRACT	PROJECT
R-41341	1801500

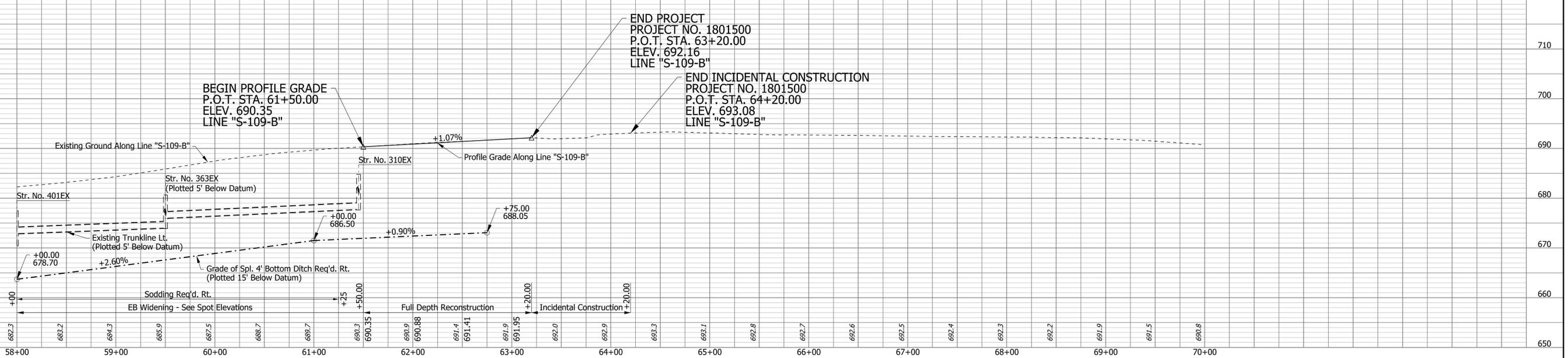
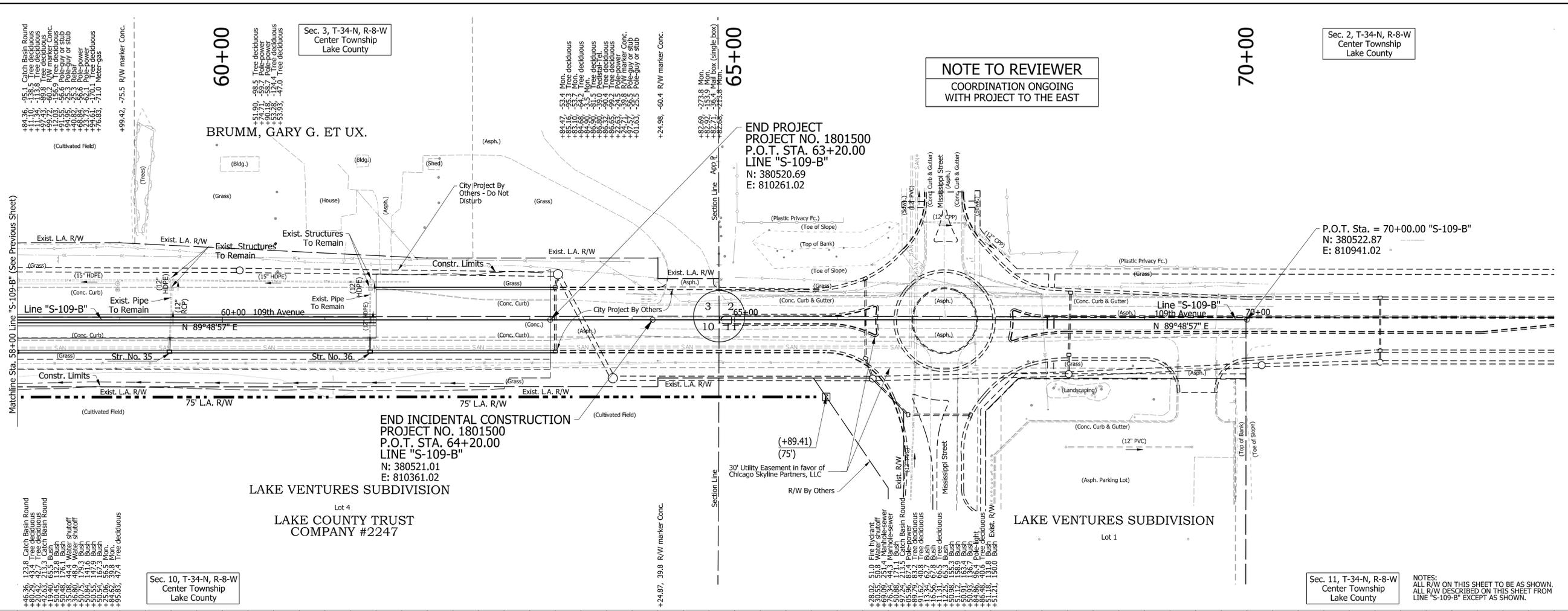
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**NOTE TO REVIEWER**  
COORDINATION ONGOING  
WITH PROJECT TO THE EAST



**DRAFT**  
NOT FOR CONSTRUCTION

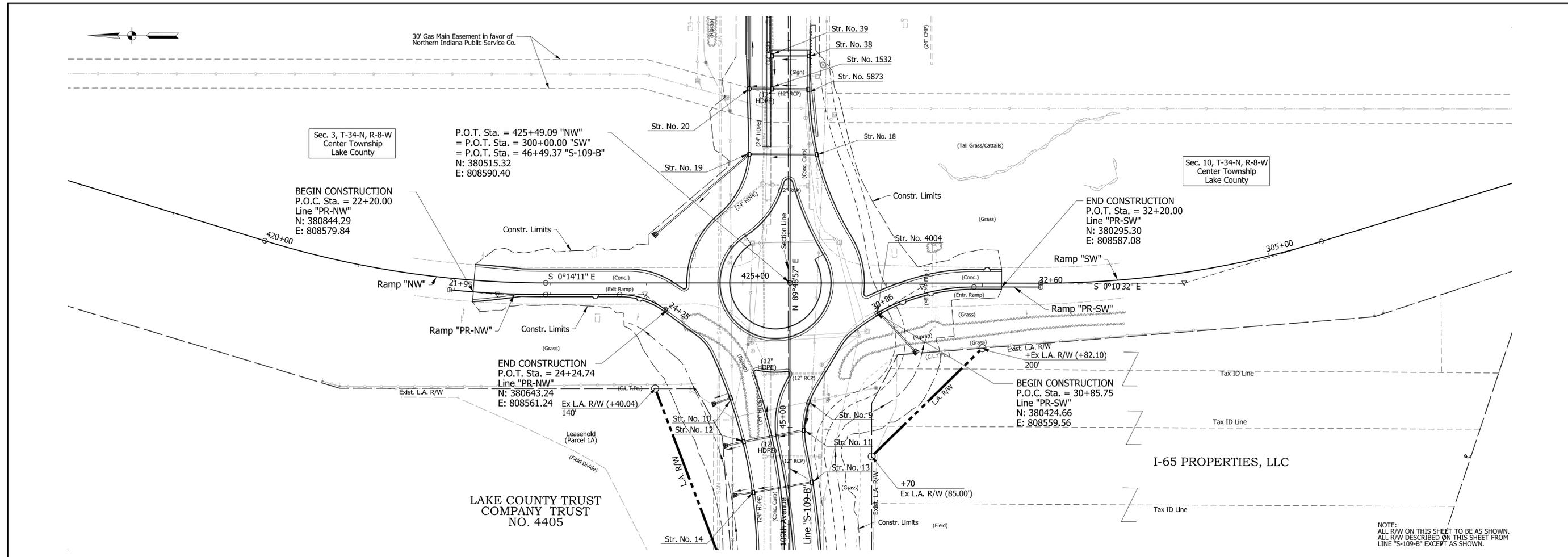
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DESIGNED: HER	DRAWN: CPH	
CHECKED: CIS	CHECKED: HER	

INDIANA  
DEPARTMENT OF TRANSPORTATION

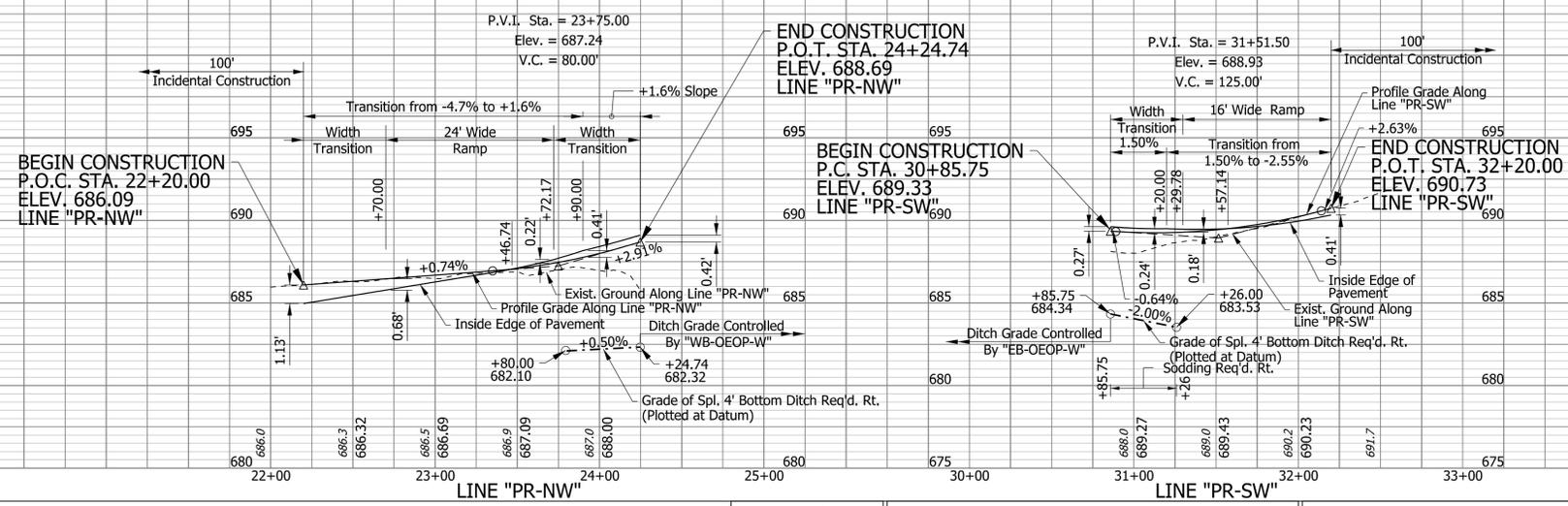
**PLAN AND PROFILE**  
"S-109-B"

HORIZONTAL SCALE	BRIDGE FILE
1"=50'	N/A
VERTICAL SCALE	DESIGNATION
1"=10'	1801500
SURVEY BOOK	SHEETS
Electronic	19 of 106
CONTRACT	PROJECT
R-41341	1801500

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model-sheet3  
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NOTE:  
ALL R/W ON THIS SHEET TO BE AS SHOWN.  
ALL R/W DESCRIBED ON THIS SHEET FROM  
LINE "S-109-B" EXCEPT AS SHOWN.



**DRAFT**  
NOT FOR CONSTRUCTION

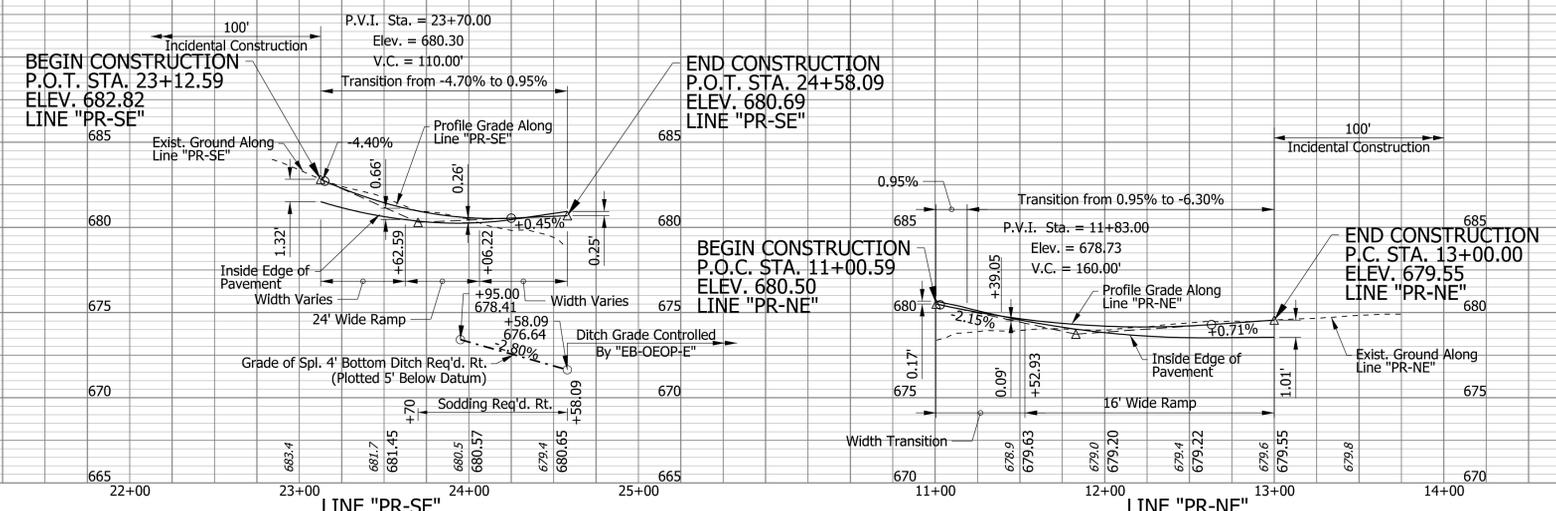
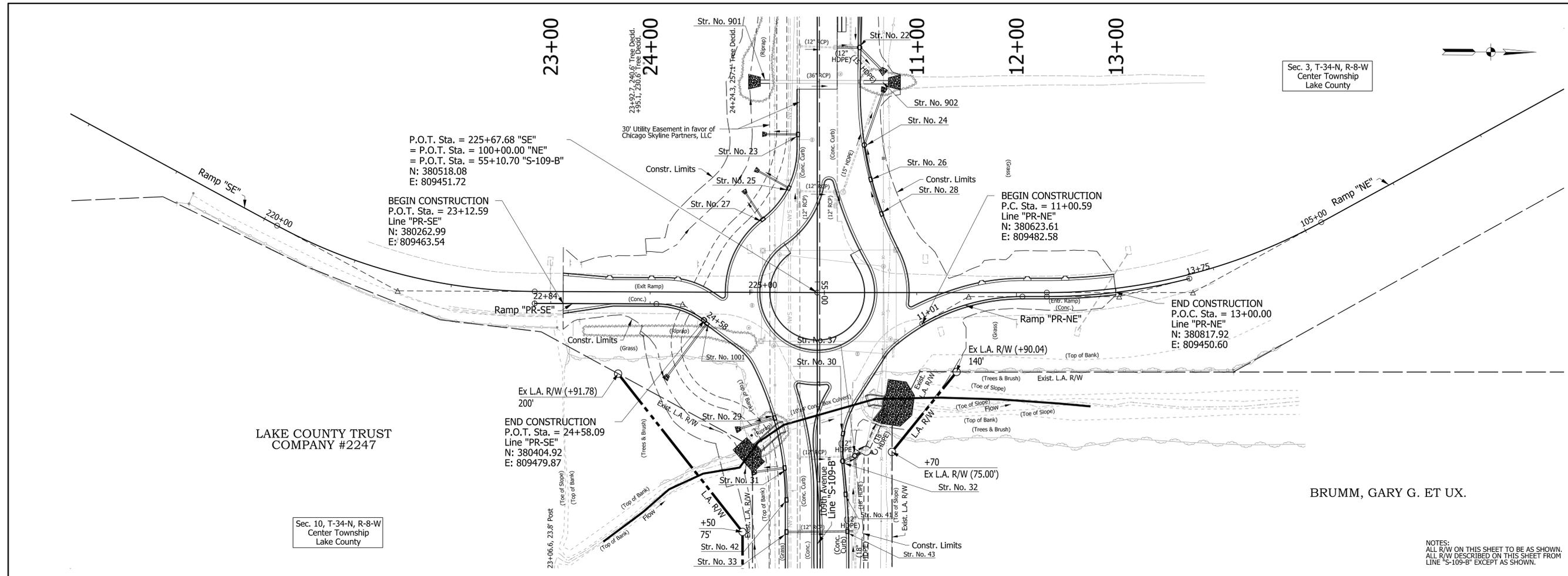
RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
DESIGNED: HER	DRAWN: CPH	
CHECKED: CIS	CHECKED: HER	

INDIANA  
DEPARTMENT OF TRANSPORTATION

PLAN AND PROFILE  
"PR-NW" AND "PR-SW"

HORIZONTAL SCALE	BRIDGE FILE
1"=50'	N/A
VERTICAL SCALE	DESIGNATION
1"=10'	1801500
SURVEY BOOK	SHEETS
Electronic	20 of 106
CONTRACT	PROJECT
R-41341	1801500

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NOT FOR CONSTRUCTION

RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
DESIGNED: HER	DRAWN: CPH	
CHECKED: CIS	CHECKED: HER	

INDIANA  
DEPARTMENT OF TRANSPORTATION

PLAN AND PROFILE  
"PR-NE" AND "PR-SE"

HORIZONTAL SCALE	BRIDGE FILE	
1"=50'	N/A	
VERTICAL SCALE	DESIGNATION	
1"=10'	1801500	
SURVEY BOOK	SHEETS	PLN-05
Electronic	21	of 106
CONTRACT	PROJECT	
R-41341	1801500	

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 model-Sheet5  
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38+00

39+00

40+00

41+00

42+00

43+00

NOTE TO REVIEWER  
COORDINATION ONGOING WITH  
PROJECT TO THE WEST



NOTE TO REVIEWER  
PAVEMENT TYPES WILL BE UPDATED UPON  
COMPLETION OF PAVEMENT DESIGN

Legend

- A1 QC/QA-PCCP, 9 in., on Subbase for PCCP consisting of: 3 in. of Compacted Aggregate No. 8, on 6 in. of Compacted Aggregate No. 53, on Subgrade Treatment, Type 1B
- F1 4" Sidewalk, Grooved on 6" Compacted Aggregate, No. 53
- TA 9" PCCP, Decorative, Slate Green on 6" Compacted Aggregate, No. 53
- 2 Railing, Concrete FT
- 11 Center Curb, B, Concrete
- 12 Curb, Integral B Concrete (See Std. Dwg. E 605-CCIN-01)
- 14 Curb, Integral Concrete (See Std. Dwg. E 605-CCIN-01)
- 19 Curb, Turnout
- 29 Riprap, Uniform
- 30 Guardrail MGS W-Beam
- 27 Soil Nailed Wall
- S Sawcut, Full Depth
- Area of Existing Concrete Pavement Removal

BEGIN PROJECT  
P.O.T. Sta. = 41+15.00 "S-109-B"  
N: 380513.60  
E: 808056.04

2 Tons of Revetment  
Riprap and 7 Sys. Of  
Geotextile Type 1A Req'd.

+87.5 "S-109-B", Str. No. 16  
Inlet, Type "C-15" and  
16 Lft. of 12" Pipe w/ 1 -  
Pipe End Section Req'd.

+87.5 "S-109-B", Str. No. 15  
Inlet, Type "B-15" and  
65 Lft. of 12" Pipe Req'd.

Matchline Sta. 43+00 Line "S-109-B" (See Next Sheet)

DRAFT  
NOT FOR CONSTRUCTION

RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
DESIGNED: HER	DRAWN: HER	
CHECKED: CJS	CHECKED: CJS	

INDIANA  
DEPARTMENT OF TRANSPORTATION

CONSTRUCTION DETAILS  
"S-109-B"

HORIZONTAL SCALE	BRIDGE FILE	
1"=20'	N/A	
VERTICAL SCALE	DESIGNATION	
N/A	1801500	
SURVEY BOOK	SHEETS	CD-01
Electronic	22 of 106	
CONTRACT	PROJECT	
R-41341	1801500	

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43+00

44+00

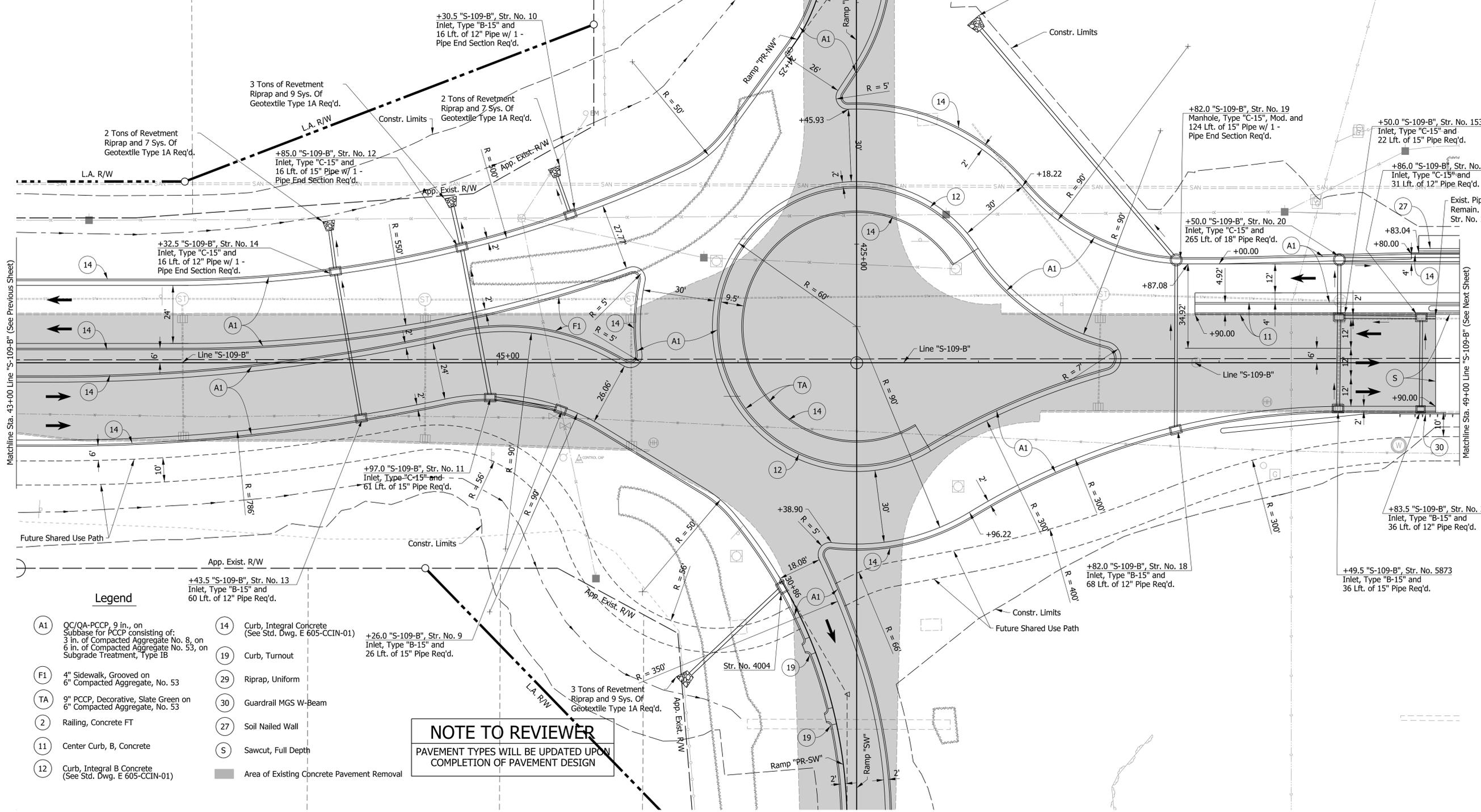
45+00

46+00

47+00

48+00

49+00



Matchline Sta. 43+00 Line "S-109-B" (See Previous Sheet)

Matchline Sta. 49+00 Line "S-109-B" (See Next Sheet)

**Legend**

- (A1) QC/QA-PCCP, 9 in., on Subbase for PCCP consisting of: 3 in. of Compacted Aggregate No. 8, on 6 in. of Compacted Aggregate No. 53, on Subgrade Treatment, Type IB
- (F1) 4" Sidewalk, Grooved on 6" Compacted Aggregate, No. 53
- (TA) 9" PCCP, Decorative, Slate Green on 6" Compacted Aggregate, No. 53
- (2) Railing, Concrete FT
- (11) Center Curb, B, Concrete
- (12) Curb, Integral B Concrete (See Std. Dwg. E 605-CCIN-01)
- (14) Curb, Integral Concrete (See Std. Dwg. E 605-CCIN-01)
- (19) Curb, Turnout
- (29) Riprap, Uniform
- (30) Guardrail MGS W-Beam
- (27) Soil Nailed Wall
- (S) Sawcut, Full Depth
- Area of Existing Concrete Pavement Removal
- (+26.0 "S-109-B", Str. No. 9 Inlet, Type "B-15" and 26 Lft. of 15" Pipe Req'd.)

**NOTE TO REVIEWER**  
 PAVEMENT TYPES WILL BE UPDATED UPON COMPLETION OF PAVEMENT DESIGN

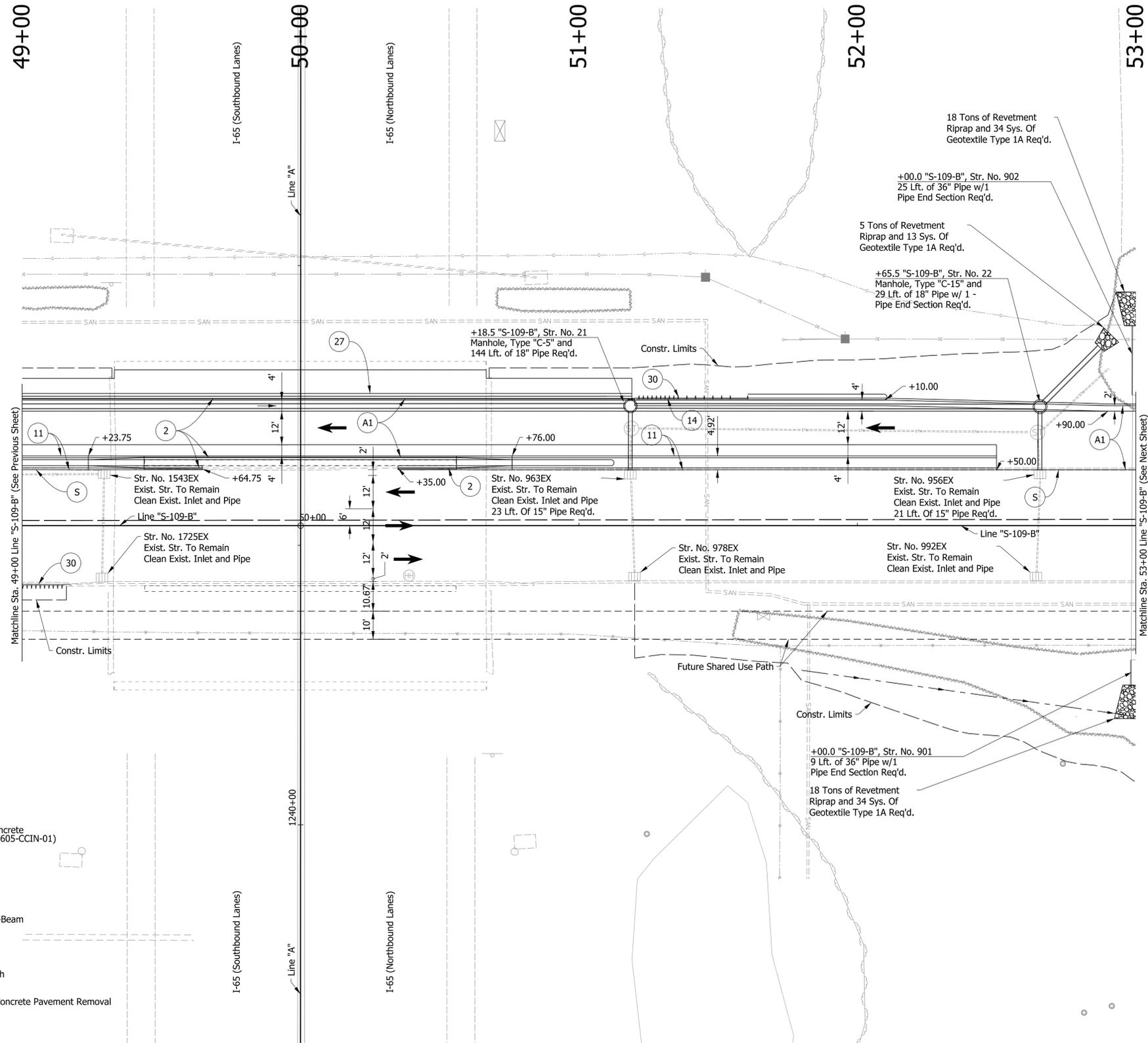
**DRAFT**  
 NOT FOR CONSTRUCTION

RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
DESIGNED: HER	DRAWN: HER	
CHECKED: CIS	CHECKED: CIS	

INDIANA DEPARTMENT OF TRANSPORTATION  
**CONSTRUCTION DETAILS**  
 "S-109-B"

HORIZONTAL SCALE	BRIDGE FILE	
1"=20'	N/A	
VERTICAL SCALE	DESIGNATION	
N/A	1801500	
SURVEY BOOK	SHEETS	CD-02
Electronic	23 of 106	
CONTRACT	PROJECT	
R-41341	1801500	

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**NOTE TO REVIEWER**  
 PAVEMENT TYPES WILL BE UPDATED UPON COMPLETION OF PAVEMENT DESIGN

**Legend**

- |   |  |
|---|--|
| (A1) OC/QA-PCCP, 9 in., on Subbase for PCCP consisting of: 3 in. of Compacted Aggregate No. 8, on 6 in. of Compacted Aggregate No. 53, on Subgrade Treatment, Type IB | (14) Curb, Integral Concrete (See Std. Dwg. E 605-CCIN-01) |
| (F1) 4" Sidewalk, Grooved on 6" Compacted Aggregate, No. 53   | (19) Curb, Turnout   |
| (TA) 9" PCCP, Decorative, Slate Green on 6" Compacted Aggregate, No. 53   | (29) Riprap, Uniform                                       |
| (2) Railing, Concrete FT  | (30) Guardrail MGS W-Beam                                  |
| (11) Center Curb, B, Concrete   | (27) Soil Nailed Wall                                      |
| (12) Curb, Integral B Concrete (See Std. Dwg. E 605-CCIN-01)  | (S) Sawcut, Full Depth                                     |
|   | ■ Area of Existing Concrete Pavement Removal               |

**DRAFT**  
 NOT FOR CONSTRUCTION

RECOMMENDED FOR APPROVAL _____	DESIGN ENGINEER _____	DATE _____
DESIGNED: _____ HER _____	DRAWN: _____ HER _____	
CHECKED: _____ CJS _____	CHECKED: _____ CJS _____	

INDIANA  
 DEPARTMENT OF TRANSPORTATION

CONSTRUCTION DETAILS  
 "S-109-B"

HORIZONTAL SCALE	BRIDGE FILE	
1"=20'	N/A	
VERTICAL SCALE	DESIGNATION	
N/A	1801500	
SURVEY BOOK	SHEETS	CD-03
Electronic	24	of 106
CONTRACT	PROJECT	
R-41341	1801500	

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53+00

54+00

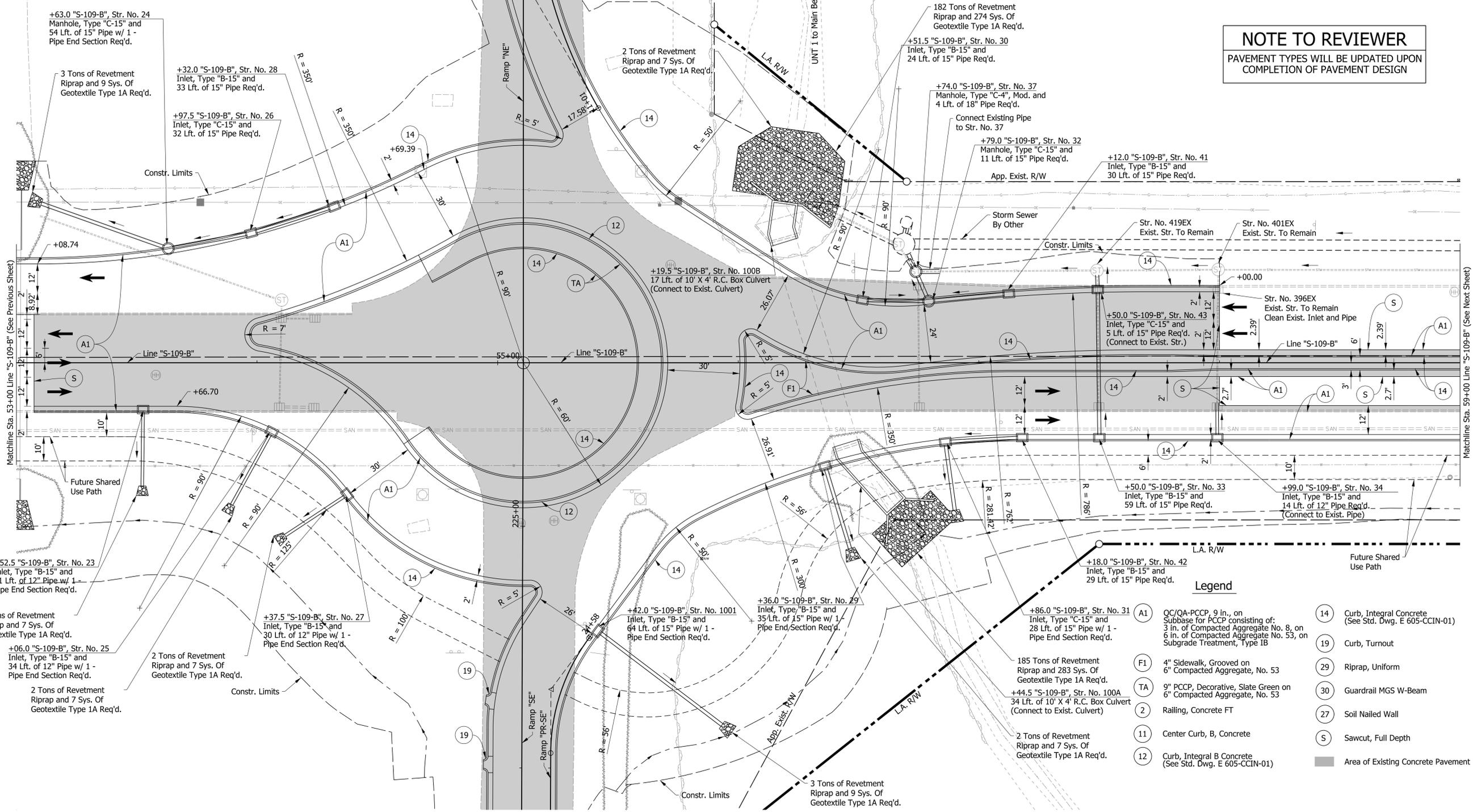
55+00

56+00

57+00

58+00

59+00



**NOTE TO REVIEWER**  
 PAVEMENT TYPES WILL BE UPDATED UPON  
 COMPLETION OF PAVEMENT DESIGN

Matchline Sta. 59+00 Line "S-109-B" (See Next Sheet)

Matchline Sta. 53+00 Line "S-109-B" (See Previous Sheet)

**Legend**

- (A1) QC/QA-PCCP, 9 in., on Subbase for PCCP consisting of: 3 in. of Compacted Aggregate No. 8, on 6 in. of Compacted Aggregate No. 53, on Subgrade Treatment, Type 1B
- (F1) 4" Sidewalk, Grooved on 6" Compacted Aggregate, No. 53
- (TA) 9" PCCP, Decorative, Slate Green on 6" Compacted Aggregate, No. 53
- (2) Railing, Concrete FT
- (11) Center Curb, B, Concrete
- (12) Curb, Integral B Concrete (See Std. Dwg. E 605-CCIN-01)
- (14) Curb, Integral Concrete (See Std. Dwg. E 605-CCIN-01)
- (19) Curb, Turnout
- (29) Riprap, Uniform
- (30) Guardrail MGS W-Beam
- (27) Soil Nailed Wall
- (S) Sawcut, Full Depth
- Area of Existing Concrete Pavement Removal

**DRAFT**  
 NOT FOR CONSTRUCTION

RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
DESIGNED: HER	DRAWN: HER	
CHECKED: CIS	CHECKED: CIS	

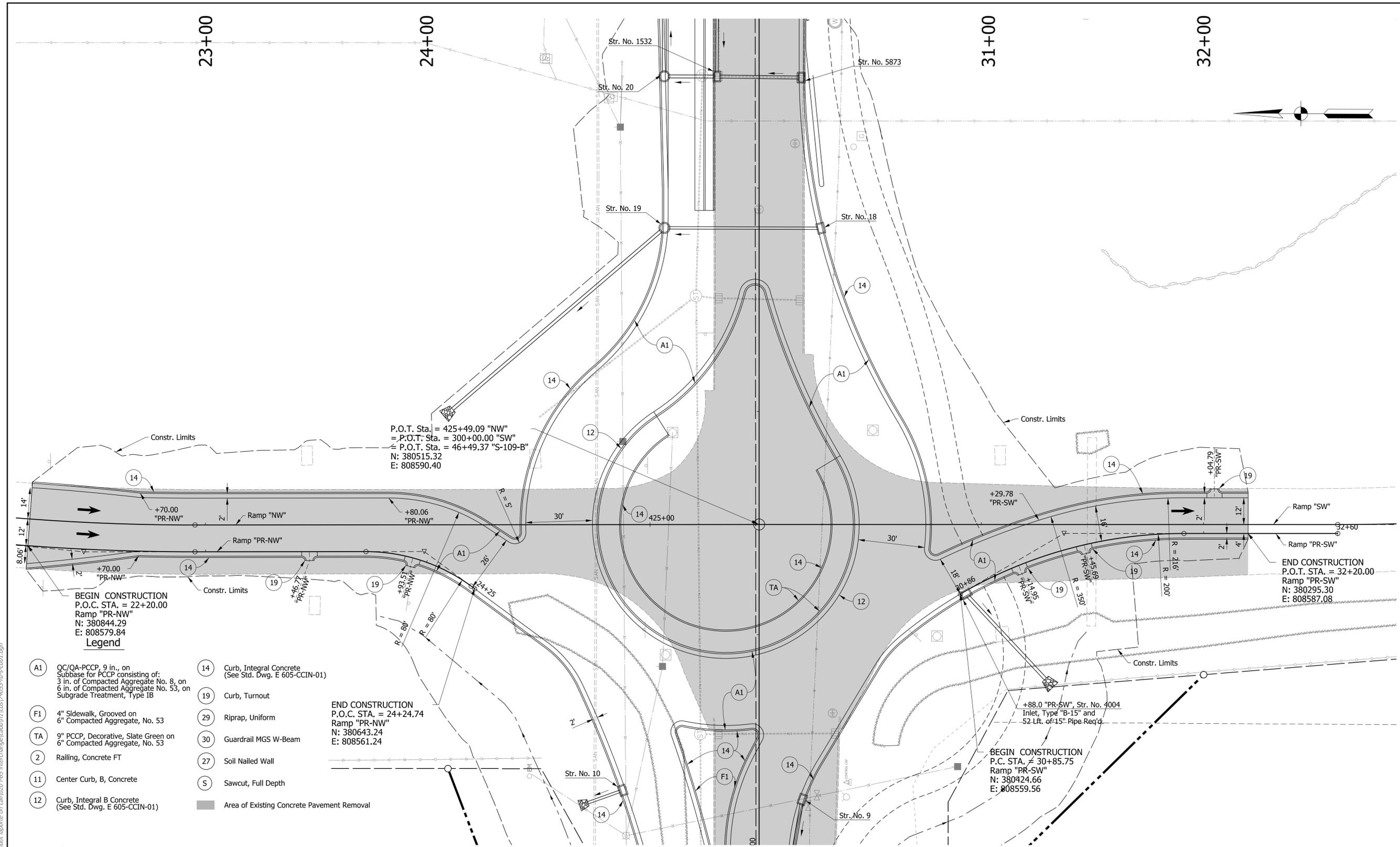
INDIANA  
 DEPARTMENT OF TRANSPORTATION

CONSTRUCTION DETAILS  
 "S-109-B"

HORIZONTAL SCALE	BRIDGE FILE	
1"=20'	N/A	
VERTICAL SCALE	DESIGNATION	
N/A	1801500	
SURVEY BOOK	SHEETS	CD-04
Electronic	25	of 106
CONTRACT	PROJECT	
R-41341	1801500	

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P.O.T. Sta. = 425+49.09 "NW"  
 = P.O.T. Sta. = 300+00.00 "SW"  
 = P.O.T. Sta. = 46+49.37 "S-109-B"  
 N: 380515.32  
 E: 808590.40

END CONSTRUCTION  
 P.O.T. STA. = 32+20.00  
 Ramp "PR-SW"  
 N: 380295.30  
 E: 808587.08

BEGIN CONSTRUCTION  
 P.O.C. STA. = 22+20.00  
 Ramp "PR-NW"  
 N: 380844.29  
 E: 808579.84

END CONSTRUCTION  
 P.O.C. STA. = 24+24.74  
 Ramp "PR-NW"  
 N: 380643.24  
 E: 808561.24

BEGIN CONSTRUCTION  
 P.C. STA. = 30+85.75  
 Ramp "PR-SW"  
 N: 380424.66  
 E: 808559.56

- Legend**
- A1 QC/QA-PCCP, 9 in., on Subbase for PCCP consisting of 3 in. of Compacted Aggregate No. 8, on 6 in. of Compacted Aggregate No. 53, on Subgrade Treatment, Type 1B
  - F1 4" Sidewalk, Grooved on 6" Compacted Aggregate, No. 53
  - TA 9" PCCP, Decorative, Slate Green on 6" Compacted Aggregate, No. 53
  - 2 Railing, Concrete FT
  - 11 Center Curb, B, Concrete
  - 12 Curb, Integral B Concrete (See Std. Dwg. E 605-CCIN-01)
  - 14 Curb, Integral Concrete (See Std. Dwg. E 605-CCIN-01)
  - 19 Curb, Turnout
  - 29 Riprap, Uniform
  - 30 Guardrail MGS W-Beam
  - 27 Soil Nailed Wall
  - S Sawcut, Full Depth
  - Area of Existing Concrete Pavement Removal

**DRAFT**  
 NOT FOR CONSTRUCTION

RECOMMENDED FOR APPROVAL _____	DESIGN ENGINEER _____	DATE _____
DESIGNED: _____ HER _____	DRAWN: _____ CAB _____	
CHECKED: _____ CJS _____	CHECKED: _____ CJS _____	

INDIANA  
 DEPARTMENT OF TRANSPORTATION

**CONSTRUCTION DETAILS**  
 "PR-NW" AND "PR-SW"

HORIZONTAL SCALE	BRIDGE FILE	
1"=20'	N/A	
VERTICAL SCALE	DESIGNATION	
N/A	1801500	
SURVEY BOOK	SHEETS	CD-06
Electronic	27 of	106
CONTRACT	PROJECT	
R-41341	1801500	

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23+00

24+00

11+00

12+00

13+00

**NOTE TO REVIEWER**  
 PAVEMENT TYPES WILL BE UPDATED UPON  
 COMPLETION OF PAVEMENT DESIGN

P.O.T. Sta. = 225+67.68 "SE"  
 = P.O.T. Sta. = 100+00.00 "NE"  
 = P.O.T. Sta. = 55+10.70 "S-109-B"  
 N: 380518.08  
 E: 809451.72

BEGIN CONSTRUCTION  
 P.O.T. STA. = 23+12.59  
 Ramp "PR-SE"  
 N: 380262.99  
 E: 809463.54

END CONSTRUCTION  
 P.O.T. STA. = 24+58.09  
 Ramp "PR-SE"  
 N: 380404.92  
 E: 809479.87

BEGIN CONSTRUCTION  
 P.C. STA. = 11+00.59  
 Ramp "PR-NE"  
 N: 380623.61  
 E: 809482.58

END CONSTRUCTION  
 P.O.C. STA. = 13+00.00  
 Ramp "PR-NE"  
 N: 380817.92  
 E: 809450.60

**Legend**

- A1 QC/QA-PCCP, 9 in., on Subbase for PCCP consisting of: 3 in. of Compacted Aggregate No. 8, on 6 in. of Compacted Aggregate No. 53, on Subgrade Treatment, Type IB
- F1 4" Sidewalk, Grooved on 6" Compacted Aggregate, No. 53
- TA 9" PCCP, Decorative, Slate Green on 6" Compacted Aggregate, No. 53
- 2 Railing, Concrete FT
- 11 Center Curb, B, Concrete
- 12 Curb, Integral B Concrete (See Std. Dwg. E 605-CCIN-01)
- 14 Curb, Integral Concrete (See Std. Dwg. E 605-CCIN-01)
- 19 Curb, Turnout
- 29 Riprap, Uniform
- 30 Guardrail MGS W-Beam
- 27 Soil Nailed Wall
- S Sawcut, Full Depth
- Area of Existing Concrete Pavement Removal

**DRAFT**  
 NOT FOR CONSTRUCTION

RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
DESIGNED: HER	DRAWN: CAB	
CHECKED: CJS	CHECKED: CJS	

INDIANA  
 DEPARTMENT OF TRANSPORTATION

**CONSTRUCTION DETAILS**  
 "PR-NE" AND "PR-SE"

HORIZONTAL SCALE	BRIDGE FILE	
1"=20'	N/A	
VERTICAL SCALE	DESIGNATION	
N/A	1801500	
SURVEY BOOK	SHEETS	CD-07
Electronic	28 of 106	
CONTRACT	PROJECT	
R-41341	1801500	

kcbaylor  
 4/17/2020 4:12:51 pm  
 model:Sheet7  
 file: \\indw001\289\projects\74053\_indot\_laporte on call\020 1-65 interchange\cadd\tr\l\cads\74053-nd-s-cd01.dgn

Des 1801500 CE-4

Appendix C

Early Coordination



# INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue  
Room N642  
Indianapolis, Indiana 46204

PHONE: (317) 233-6795

**Eric J. Holcomb, Governor**  
**Joe McGuinness, Commissioner**

February 28, 2019

**Sample early coordination letter - graphics  
and photos from Appendix B were included.**

Re: Des. No. 1801500, I-65 at 109<sup>th</sup> Avenue Interstate Access Project - Lake County, Indiana

Agency Representative,

The Indiana Department of Transportation (INDOT) and Federal Highway Administration (FHWA) intend to proceed with a project involving the interstate access ramps at I-65 and 109<sup>th</sup> Avenue in Lake County, Indiana. This letter is part of the early coordination phase of the environmental review process. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. Please use the above designation number (Des. No.) and description in your reply. We will incorporate your comments into a study of the project's environmental impacts.

This project is located at the interchange of I-65 and 109<sup>th</sup> Avenue on the east side of the City of Crown Point. Specifically, the project is located in Sections 3 and 10, Township 34 N, Range 8 West as shown on the Crown Point, Indiana 7.5 minute quadrangle map. The purpose of this project is to provide access between I-65 and 109<sup>th</sup> Avenue that is adequate for the current and projected traffic amounts at the interchange. The need for this project is the current and projected traffic amounts at the interchange. On the Level of Service (LOS) scale, which rates roads for how well they provide traffic flow on a scale of "A" to "F", the southbound ramps currently provide a LOS E. This indicates that traffic is not flowing freely and may lead to extended wait times and traffic queue lines that extend onto I-65. Eastbound traffic at the intersection of 109<sup>th</sup> Avenue and the southbound I-65 ramp currently is rated at LOS D, which also indicates that long traffic lines may be present during peak traffic hours. If left unaddressed, the intersection of the northbound ramp and eastbound 109<sup>th</sup> Avenue is projected to be LOS E in design year 2044. The eastbound 109<sup>th</sup> Avenue and southbound ramp and the southbound ramp are both projected to be LOS F in design year 2044 if left unaddressed.

This project proposes to construct roundabouts at the intersections of the I-65 ramps and 109<sup>th</sup> Avenue. The existing roadway provides two travel lanes, one in each direction, with a median that serves as left turn lanes near the intersections of 109<sup>th</sup> Avenue and I-65. The roadway cross section will remain in place with additional slip lanes to access the northbound ramp from 109<sup>th</sup> Avenue and accessing 109<sup>th</sup> Avenue from the southbound exit ramp. The median will be converted to a dedicated eastbound travel lane. New storm drainage sewers will be installed along the project corridor. The existing drainage culvert that runs under 109<sup>th</sup> Avenue will be extended to accommodate the widened pavement. Traffic is anticipated to be maintained throughout construction through lane shifts as needed. The I-65 mainline will remain unimpeded. Right of way acquisition is anticipated to be less than 0.5 acre. Right of way quantities will be defined during the design process.

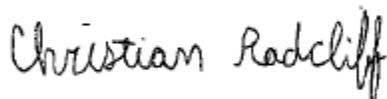
Land use in the vicinity of the project is primarily the maintained right of way of the I-65 interchange. A drainage ditch that empties into a lake on the southeast quadrant of the interchange can be found near the eastern project terminus. There is a narrow riparian corridor along this drainage ditch. Beyond the interchange of I-65 and 109<sup>th</sup> Avenue is a mix of agricultural land, maintained lawn, and residential and commercial parcels. A Waters of the US Report will be completed to identify any ecological resources that may be present. The USFWS range-wide programmatic informal consultation for the Indiana bat and

northern long-eared bat will be completed for this project. An historical investigation will be completed to satisfy the requirement of Section 106 of the National Historic Preservation Act.

This project will follow the process outlined in the State of Indiana Interstate Access Request (IAR) Procedures document, which includes five sequential steps. Step 1 is to establish a framework document that defines the scope of study for alternatives. Step 2 includes an alternatives analysis to evaluate alternatives and select a preferred alternative. Step 3 will be to determine if an IAR and an associated Interstate Access Document (IAD) will be required. If an IAD is deemed necessary, step 4 will include drafting an IAD and submitting to FHWA for approval. Final approval of the IAR will be given at step 5, which is concurrent approval of the IAR and NEPA document. The framework document (Step 1) and alternatives analysis (Step 2) for this project have both been approved by INDOT and FHWA.

Please respond with comments, questions, and concerns **within thirty (30) calendar days** from the date of this letter; if no response is received, it will be assumed that your agency feels that there are no adverse effects incurred as a result of this proposed project. However, should you find that an extension to the response time is necessary, a reasonable amount may be granted upon request. If you have any questions regarding this matter, please feel free to contact Christian Radcliff at Green 3, LLC at [christian@green3studio.com](mailto:christian@green3studio.com) or 317-634-4110, or INDOT Project Manager Ken Martin at [kemartin@indot.in.gov](mailto:kemartin@indot.in.gov) or 219-938-2018. Thank you in advance for your input on this project.

Sincerely,



Christian Radcliff  
Green 3, LLC

Enclosures:  
Mailing List  
Project Maps  
Ground Level Photographs



# INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue  
Room N642  
Indianapolis, Indiana 46204

PHONE: (317) 232-XXXX  
FAX: (317) 233-XXXX

**Eric Holcomb, Governor**  
**Joe McGuinness, Commissioner**

February 28, 2019

Sample early coordination letter - graphics  
and photos from Appendix B were included.

TO: MS4 COORDINATOR  
Crown Point, Indiana  
11035 Broadway, Suite F, Crown Point, IN 46307  
Crown Point, Indiana 46307

FROM: Christian Radcliff  
Green 3, LLC  
1104 Prospect Street  
Indianapolis, Indiana 46203

RE: Early Notification  
INDOT DES Number: 1801500  
Location: I-65 at 109<sup>th</sup> Avenue  
Description: Interstate Access Project

The Indiana Department of Transportation (INDOT) and Federal Highway Administration (FHWA) intend to proceed with the above project. You are being notified because this project lies within an Urbanized Area Boundary (UAB). In accordance with 327 IAC 15-13 (Rule 13 - Municipal Separate Storm Sewer Systems), INDOT has developed a Storm Water Quality Management Plan (SWQMP).

As part of its implementation, projects falling within the UAB will be required to consider appropriate post construction storm water quality best management practices (BMPs). These BMPs should take into consideration the available space, pollutants of concern and receiving waters.

This letter is for notification purposes only, and no action is required by you; however, if you would like to provide your input on water quality concerns, please provide this information **within thirty (30) calendar days** from the date of this letter to the undersigned. Should we not receive your response within the specified timeframe, it will be assumed that your agency does not have additional concerns about water quality issues resulting from the proposed project. Should you find that an extension to the response time is necessary, a reasonable amount of time may be granted upon request. If you have any questions regarding this matter, please feel free to contact Christian Radcliff, Ecologist, at [christian@green3studio.com](mailto:christian@green3studio.com). Thank you in advance for your attention to this matter.

Sincerely,

Christian Radcliff  
Ecologist  
Green 3, LLC

**I-65 at 109<sup>th</sup> Avenue Interstate Access Project, Des 1801500**  
**Early Coordination Notice sent to the Following Agencies:**

U.S. Fish and Wildlife Service  
Bloomington, Indiana Field Office  
[Elizabeth\\_mccloskey@fws.gov](mailto:Elizabeth_mccloskey@fws.gov)

Lake County Surveyor  
Bill Emerson, Jr.  
[emerson@lakecountyin.org](mailto:emerson@lakecountyin.org)

Federal Highway Administration  
LaPorte District  
[Joyce.Newland@dot.gov](mailto:Joyce.Newland@dot.gov)

Mayor of Crown Point  
David Uran  
[duran@crownpoint.in.gov](mailto:duran@crownpoint.in.gov)

State Conservationist  
Natural Resources Conservation Service  
[rick.neilson@in.usda.gov](mailto:rick.neilson@in.usda.gov)

Crown Point Floodplain Administrator  
Dan Niksch  
[dniksch@crownpoint.in.gov](mailto:dniksch@crownpoint.in.gov)

Indiana Geological Survey  
Online Submission:  
<https://igws.indiana.edu/eAssessment/>

Decatur MS4 Coordinator  
Doug Bright  
[dbrite@crownpoint.in.gov](mailto:dbrite@crownpoint.in.gov)

Environmental Coordinator  
Indiana Department of Natural Resources  
Division of Fish and Wildlife  
[environmentalreview@dnr.in.gov](mailto:environmentalreview@dnr.in.gov)

Crown Point City Council, District 1  
Chad Jefferies  
[cjefferies@crownpoint.in.gov](mailto:cjefferies@crownpoint.in.gov)

Indiana Department of Environmental Management  
Online Submission  
<https://www.in.gov/idem/5284.htm>

Lake County Highway Department  
Robert Young  
[ryoung@laportecounty.org](mailto:ryoung@laportecounty.org)

Indiana Department of Environmental  
Management  
Groundwater Section  
<http://www.in.gov/idem/cleanwater/pages/wellhead/>

Northwestern Indiana Regional Planning  
Commission  
Ty Warner  
[twarner@nirpc.org](mailto:twarner@nirpc.org)

INDOT Public Hearings  
[rclark@indot.in.gov](mailto:rclark@indot.in.gov)  
[mwright@indot.in.gov](mailto:mwright@indot.in.gov)

Regional Environmental Coordinator  
Midwest Regional Office  
National Park Service  
[hector\\_santiago@nps.gov](mailto:hector_santiago@nps.gov)

US Department of Housing and Urban Development  
Chicago Regional Office  
[michael.e.wurl@hud.gov](mailto:michael.e.wurl@hud.gov)

US Army Corps of Engineers  
Chicago District  
[chicagorequests@usace.army.mil](mailto:chicagorequests@usace.army.mil)

## Christian Radcliff

---

**From:** Wright, Mary <MWRIGHT@indot.IN.gov>  
**Sent:** Friday, March 1, 2019 7:01 AM  
**To:** Christian Radcliff  
**Subject:** RE: Federally Funded Des 1801500 I-65 at 109th Avenue Interstate Access Project

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### Early Coordination and Creating a Public Involvement Plan (PIP)

We have received your early coordination notification packet for the above referenced project(s). Our office prefers to be notified at the early coordination stage in order to encourage early and ongoing public involvement aside from the specific legal requirements as outlined in our Public Involvement Manual <http://www.in.gov/indot/2366.htm>. Seeking the public's understanding of transportation improvement projects early in the project development stage can allow the opportunity for the public to express their concerns, comments, and to seek buy-in. Early coordination is the perfect opportunity to examine the proposed project and its impacts to the community along with the many ways and or tools to inform the public of the improvements and seek engagement. A good public involvement plan, or PIP, should consider the type, scope, impacts, and the level of public awareness that should, or could, be implemented. In other words, although there are cases where no public involvement is legally required, sometimes it is simply the right thing to do in order to keep the public informed.

The public involvement office is always available to provide support and resources to bolster any public involvement activities you may wish to implement or discuss. Please feel free to contact our office anytime should you have any questions or concerns. Thank you for notifying our office about your proposed project. We trust you will not only analyze the appropriate public involvement required, but also consider the opportunity to do go above and beyond those requirements in creating a good PIP.

Rickie Clark, Manager  
100 North Senate Avenue, Room N642  
Indianapolis, IN 46204  
Phone: 317-232-6601  
Email: [rclark@indot.in.gov](mailto:rclark@indot.in.gov)

Mary Wright, Hearing Examiner  
Phone: 317-234-0796  
Email: [mwright@indot.in.gov](mailto:mwright@indot.in.gov)

---

**From:** Christian Radcliff [mailto:[christian@green3studio.com](mailto:christian@green3studio.com)]  
**Sent:** Thursday, February 28, 2019 4:38 PM  
**To:** elizabeth\_mccloskey@fws.gov; Newland, Joyce (FHWA) <Joyce.Newland@dot.gov>; DNR Environmental Review <environmentalreview@dnr.IN.gov>; Clark, Rickie <RCLARK@indot.IN.gov>; hector\_santiago@nps.gov; michael.e.wurl@hud.gov; chicagorequests@usace.army.mil; emerson@lakecountyin.org; duran@crownpoint.in.gov; dnicksch@crownpoint.in.gov; cjefferies@crownpoint.in.gov; ryoung@laportecounty.org  
**Cc:** Wright, Mary <MWRIGHT@indot.IN.gov>  
**Subject:** Federally Funded Des 1801500 I-65 at 109th Avenue Interstate Access Project

---

Good afternoon,

Please see the attached early coordination letter for your review and comment. If you have any questions please do not hesitate to contact me.

Example of standard USFWS response  
for projects with minimal impacts.

**From:** [McCloskey, Elizabeth](#)  
**To:** [Christian Radcliff](#)  
**Subject:** Re: [EXTERNAL] Federally Funded Des 1801500 I-65 at 109th Avenue Interstate Access Project  
**Date:** Monday, March 4, 2019 8:25:13 AM  
**Attachments:** [image001.png](#)

---

Good morning, because the proposed project will have minor impacts on natural resources, and no Federally endangered species are known to be present, the U.S. Fish and Wildlife Service will not be providing a comment letter.

Elizabeth McCloskey  
U.S. Fish and Wildlife Service  
Northern Indiana Suboffice

On Thu, Feb 28, 2019 at 3:40 PM Christian Radcliff <[christian@green3studio.com](mailto:christian@green3studio.com)> wrote:

Good afternoon,

Please see the attached early coordination letter for your review and comment. If you have any questions please do not hesitate to contact me.

Thanks,

Christian Radcliff

Ecologist

[christian@green3studio.com](mailto:christian@green3studio.com)

**g r e e n • 3**



Historic Fountain Square  
1104 Prospect Street  
Indianapolis, IN 46203

p 317.634.4110  
f 866.422.2046 (toll free)

## Organization and Project Information

**Project ID:** I-65 at 109th Avenue Interstate Access Project  
**Des. ID:** 1801500  
**Project Title:** Des 1801500 I-65 at 109th Avenue Interstate Access Project  
**Name of Organization:** Green 3, LLC  
**Requested by:** Christian Radcliff

## Environmental Assessment Report

1. Geological Hazards:
  - Moderate liquefaction potential
  - Floodway
2. Mineral Resources:
  - Bedrock Resource: Low Potential
  - Sand and Gravel Resource: Low Potential
3. Active or abandoned mineral resources extraction sites:
  - None documented in the area

\*All map layers from Indiana Map ([maps.indiana.edu](http://maps.indiana.edu))

### **DISCLAIMER:**

This document was compiled by Indiana University, Indiana Geological Survey, using data believed to be accurate; however, a degree of error is inherent in all data. This product is distributed "AS-IS" without warranties of any kind, either expressed or implied, including but not limited to warranties of suitability to a particular purpose or use. No attempt has been made in either the design or production of these data and document to define the limits or jurisdiction of any federal, state, or local government. The data used to assemble this document are intended for use only at the published scale of the source data or smaller (see the metadata links below) and are for reference purposes only. They are not to be construed as a legal document or survey instrument. A detailed on-the-ground survey and historical analysis of a single site may differ from these data and this document.

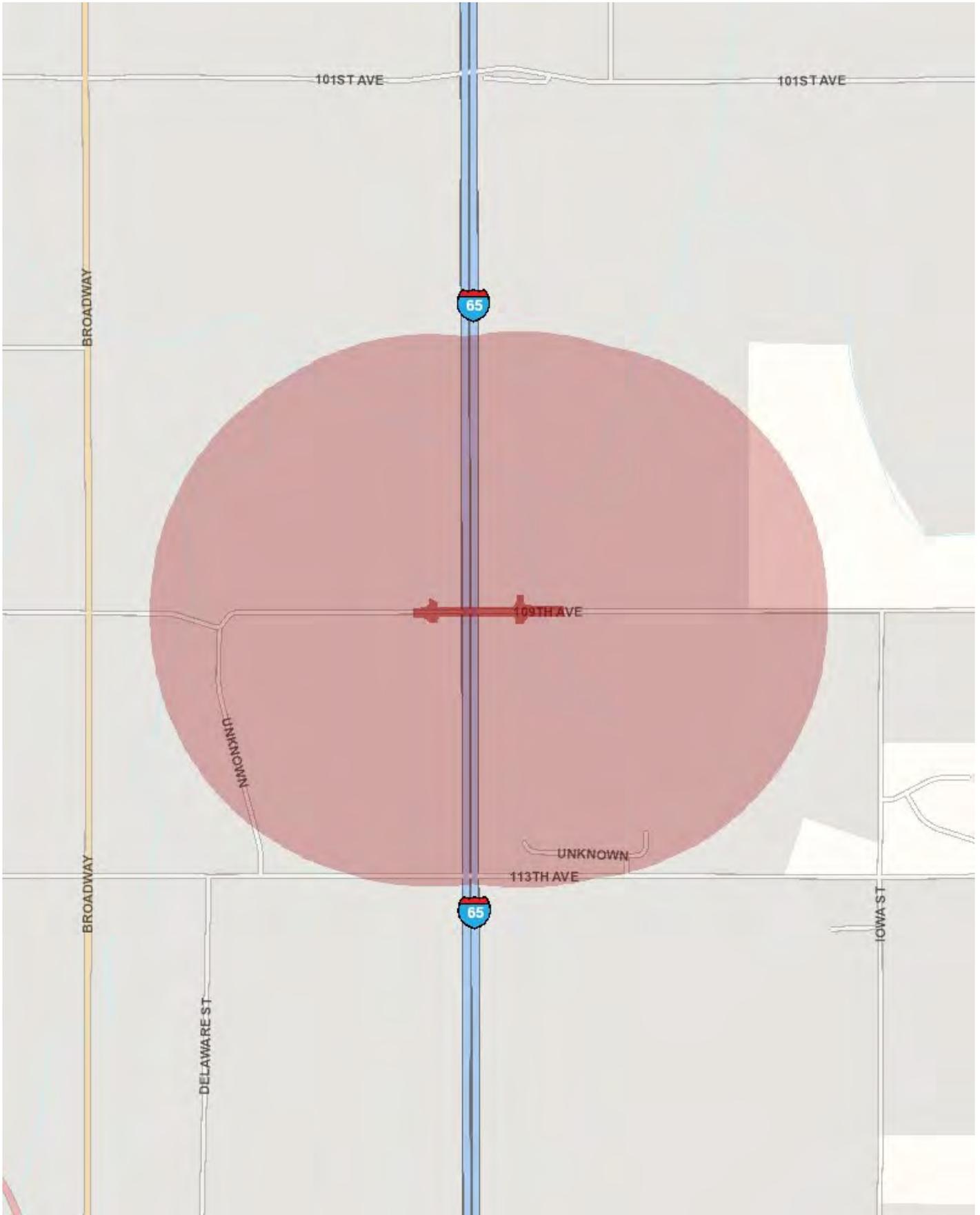
This information was furnished by Indiana Geological Survey

Address: 420 N. Walnut St., Bloomington, IN 47404

Email: [IGSEnvir@indiana.edu](mailto:IGSEnvir@indiana.edu)

Phone: 812 855-7428

Date: March 28, 2019



# Metadata:

- [https://maps.indiana.edu/metadata/Geology/Seismic\\_Earthquake\\_Liquefaction\\_Potential.html](https://maps.indiana.edu/metadata/Geology/Seismic_Earthquake_Liquefaction_Potential.html)
- [https://maps.indiana.edu/metadata/Geology/Industrial\\_Minerals\\_Sand\\_Gravel\\_Resources.html](https://maps.indiana.edu/metadata/Geology/Industrial_Minerals_Sand_Gravel_Resources.html)
- [https://maps.indiana.edu/metadata/Hydrology/Floodplains\\_FIRM.html](https://maps.indiana.edu/metadata/Hydrology/Floodplains_FIRM.html)
- [https://maps.indiana.edu/metadata/Geology/Bedrock\\_Geology.html](https://maps.indiana.edu/metadata/Geology/Bedrock_Geology.html)



# Indiana Department of Environmental Management

*We Protect Hoosiers and Our Environment.*

100 North Senate Avenue - Indianapolis, IN 46204  
(800) 451-6027 - (317) 232-8603 - www.idem.IN.gov

Indiana Department of Transportation

315 E Boyd Boulevard  
LaPorte , IN 46350  
Date

Green 3, LLC

Christian Radcliff  
1104 Prospect Street  
Indianapolis , IN 46203

To Engineers and Consultants Proposing Roadway Construction Projects:

RE: This project proposes to construct roundabouts at the interchange of I-65 and 109th Avenue in Lake County.

The three lane cross section of 109th Avenue will be retained with two eastbound lanes and one westbound lane. New storm sewers will be installed throughout the project area. The culvert conveying drainage under 109th Avenue near the eastern project terminus will be extended to accommodate roadway widening.

This letter from the Indiana Department of Environmental Management (IDEM) serves as a standardized response to enquiries inviting IDEM comments on roadway construction, reconstruction, or other improvement projects within existing roadway corridors when the proposed scope of the project is beneath the threshold requiring a formal National Environmental Policy Act-mandated Environmental Assessment or Environmental Impact Statement. As the letter attempts to address all roadway-related environmental topics of potential concern, it is possible that not every topic addressed in the letter will be applicable to your particular roadway project.

For additional information on specific roadway-related topics of interest, please visit the appropriate Web pages cited below, many of which provide contact information for persons within the various program areas who can answer questions not fully addressed in this letter. Also please be mindful that some environmental requirements may be subject to change and so each person intending to include a copy of this letter in their project documentation packet is advised to download the most recently revised version of the letter; found at: <http://www.in.gov/idem/5283.htm> (<http://www.in.gov/idem/5283.htm>).

To ensure that all environmentally-related issues are adequately addressed, IDEM recommends that you read this letter in its entirety, and consider each of the following issues as you move forward with the planning of your proposed roadway construction, reconstruction, or improvement project:

## WATER AND BIOTIC QUALITY

1. Section 404 of the Clean Water Act requires that you obtain a permit from the U.S. Army Corps of Engineers (USACE) before discharging dredged or fill materials into any wetlands or other waters, such as rivers, lakes, streams, and ditches. Other activities regulated include the relocation, channelization, widening, or other such alteration of a stream, and the mechanical clearing (use of heavy construction equipment) of wetlands. Thus, as a project owner or sponsor, it is your responsibility to ensure that no wetlands are disturbed without the proper permit. Although you may initially refer to the U.S. Fish and Wildlife Service National Wetland Inventory maps as a means of identifying potential areas of concern, please be mindful that those maps do not depict jurisdictional wetlands regulated by the USACE or the Department of Environmental Management. A valid jurisdictional wetlands determination can only be made by the USACE, using the 1987 Wetland Delineation Manual.

USACE recommends that you have a consultant check to determine whether your project will abut, or lie within, a wetland area. To view a list of consultants that have requested to be included on a list posted by the USACE on their Web site, see USACE Permits and Public Notices (<http://www.lrl.usace.army.mil/orf/default.asp>) (<http://www.lrl.usace.army.mil/orf/default.asp>) and then click on "Information" from the menu on the right-hand side of that page. Their "Consultant List" is the fourth entry down on the "Information" page. Please note that the USACE posts all consultants that request to appear on the list, and that inclusion of any particular consultant on the list does not represent an endorsement of that consultant by the USACE, or by IDEM.

Much of northern Indiana (Newton, Lake, Porter, LaPorte, St. Joseph, Elkhart, LaGrange, Steuben, and Dekalb counties; large portions of Jasper, Starke, Marshall, Noble, Allen, and Adams counties; and lesser portions of Benton, White, Pulaski, Kosciusko, and Wells counties) is served by the USACE District Office in Detroit (313-226-6812). The central and southern portions of the state (large portions of Benton, White, Pulaski, Kosciusko, and Wells counties; smaller portions of Jasper, Starke, Marshall, Noble, Allen, and Adams counties; and all other Indiana counties located in north-central, central, and southern Indiana) are served by the USACE Louisville District Office (502-315-6733).

Additional information on contacting these U.S. Army Corps of Engineers (USACE) District Offices, government agencies with jurisdiction over wetlands, and other water quality issues, can be found at

<http://www.in.gov/idem/4396.htm> (<http://www.in.gov/idem/4396.htm>). IDEM recommends that impacts to wetlands and other water resources be avoided to the fullest extent.

2. In the event a Section 404 wetlands permit is required from the USACE, you also must obtain a Section 401 Water Quality Certification from the IDEM Office of Water Quality Wetlands Program. To learn more about the Wetlands Program, visit: <http://www.in.gov/idem/4384.htm> (<http://www.in.gov/idem/4384.htm>).
3. If the USACE determines that a wetland or other water body is isolated and not subject to Clean Water Act regulation, it is still regulated by the state of Indiana. A State Isolated Wetland permit from IDEM's Office of Water Quality (OWQ) is required for any activity that results in the discharge of dredged or fill materials into isolated wetlands. To learn more about isolated wetlands, contact the OWQ Wetlands Program at 317-233-8488.
4. If your project will involve over a 0.5 acre of wetland impact, stream relocation, or other large-scale alterations to water bodies such as the creation of a dam or a water diversion, you should seek additional input from the OWQ Wetlands Program staff. Consult the Web at: <http://www.in.gov/idem/4384.htm> (<http://www.in.gov/idem/4384.htm>) for the appropriate staff contact to further discuss your project.
5. Work within the one-hundred year floodway of a given water body is regulated by the Department of Natural Resources, Division of Water. The Division issues permits for activities regulated under the following statutes:
  - o IC 14-26-2 Lakes Preservation Act 312 IAC 11
  - o IC 14-26-5 Lowering of Ten Acre Lakes Act No related code
  - o IC 14-28-1 Flood Control Act 310 IAC 6-1
  - o IC 14-29-1 Navigable Waterways Act 312 IAC 6
  - o IC 14-29-3 Sand and Gravel Permits Act 312 IAC 6
  - o IC 14-29-4 Construction of Channels Act No related code

For information on these Indiana (statutory) Code and Indiana Administrative Code citations, see the DNR Web site at: <http://www.in.gov/dnr/water/9451.htm> (<http://www.in.gov/dnr/water/9451.htm>). Contact the DNR Division of Water at 317-232-4160 for further information.

The physical disturbance of the stream and riparian vegetation, especially large trees overhanging any affected water bodies should be limited to only that which is absolutely necessary to complete the project. The shade provided by the large overhanging trees helps maintain proper stream temperatures and dissolved oxygen for aquatic life.

6. For projects involving construction activity (which includes clearing, grading, excavation and other land disturbing activities) that result in the disturbance of one (1), or more, acres of total land area, contact the Office of Water Quality – Watershed Planning Branch (317/233-1864) regarding the need for a Rule 5 Storm Water Runoff Permit. Visit the following Web page
  - o <http://www.in.gov/idem/4902.htm> (<http://www.in.gov/idem/4902.htm>)

To obtain, and operate under, a Rule 5 permit you will first need to develop a Construction Plan (<http://www.in.gov/idem/4917.htm#constreq> (<http://www.in.gov/idem/4917.htm#constreq>)), and as described in 327 IAC 15-5-6.5 (<http://www.in.gov/legislative/iac/T03270/A00150> [PDF] (<http://www.in.gov/legislative/iac/T03270/A00150.PDF>), pages 16 through 19). Before you may apply for a Rule 5 Permit, or begin construction, you must submit your Construction Plan to your county Soil and Water Conservation District (SWCD) (<http://www.in.gov/isda/soil/contacts/map.html> (<http://www.in.gov/isda/soil/contacts/map.html>)).

Upon receipt of the construction plan, personnel of the SWCD or the Indiana Department of Environmental Management will review the plan to determine if it meets the requirements of 327 IAC 15-5. Plans that are deemed deficient will require re-submittal. If the plan is sufficient you will be notified and instructed to submit the verification to IDEM as part of the Rule 5 Notice of Intent (NOI) submittal. Once construction begins, staff of the SWCD or Indiana Department of Environmental Management will perform inspections of activities at the site for compliance with the regulation.

Please be mindful that approximately 149 Municipal Separate Storm Sewer System (MS4) areas are now being established by various local governmental entities throughout the state as part of the implementation of Phase II federal storm water requirements. All of these MS4 areas will eventually take responsibility for Construction Plan review, inspection, and enforcement. As these MS4 areas obtain program approval from IDEM, they will be added to a list of MS4 areas posted on the IDEM Website at: <http://www.in.gov/idem/4900.htm> (<http://www.in.gov/idem/4900.htm>).

If your project is located in an IDEM-approved MS4 area, please contact the local MS4 program about meeting their storm water requirements. Once the MS4 approves the plan, the NOI can be submitted to IDEM.

Regardless of the size of your project, or which agency you work with to meet storm water requirements, IDEM recommends that appropriate structures and techniques be utilized both during the construction phase, and after completion of the project, to minimize the impacts associated with storm water runoff. The use of appropriate planning and site development and appropriate storm water quality measures are recommended to prevent soil from leaving the construction site during active land disturbance and for post construction

water quality concerns. Information and assistance regarding storm water related to construction activities are available from the Soil and Water Conservation District (SWCD) offices in each county or from IDEM.

7. For projects involving impacts to fish and botanical resources, contact the Department of Natural Resources - Division of Fish and Wildlife (317/232-4080) for addition project input.
8. For projects involving water main construction, water main extensions, and new public water supplies, contact the Office of Water Quality - Drinking Water Branch (317-308-3299) regarding the need for permits.
9. For projects involving effluent discharges to waters of the State of Indiana , contact the Office of Water Quality - Permits Branch (317-233-0468) regarding the need for a National Pollutant Discharge Elimination System (NPDES) permit.
10. For projects involving the construction of wastewater facilities and sewer lines, contact the Office of Water Quality - Permits Branch (317-232-8675) regarding the need for permits.

## AIR QUALITY

The above-noted project should be designed to minimize any impact on ambient air quality in, or near, the project area. The project must comply with all federal and state air pollution regulations. Consideration should be given to the following:

1. Regarding open burning, and disposing of organic debris generated by land clearing activities; some types of open burning are allowed (<http://www.in.gov/idem/4148.htm> (<http://www.in.gov/idem/4148.htm>)) under specific conditions. You also can seek an open burning variance from IDEM.

However, IDEM generally recommends that you take vegetative wastes to a registered yard waste composting facility or that the waste be chipped or shredded with composting on site (you must register with IDEM if more than 2,000 pounds is to be composted; contact 317/232-0066). The finished compost can then be used as a mulch or soil amendment. You also may bury any vegetative wastes (such as leaves, twigs, branches, limbs, tree trunks and stumps) onsite, although burying large quantities of such material can lead to subsidence problems, later on.

Reasonable precautions must be taken to minimize fugitive dust emissions from construction and demolition activities. For example, wetting the area with water, constructing wind barriers, or treating dusty areas with chemical stabilizers (such as calcium chloride or several other commercial products). Dirt tracked onto paved roads from unpaved areas should be minimized.

Additionally, if construction or demolition is conducted in a wooded area where blackbirds have roosted or abandoned buildings or building sections in which pigeons or bats have roosted for 3-5 years precautionary measures should be taken to avoid an outbreak of histoplasmosis. This disease is caused by the fungus *Histoplasma capsulatum*, which stems from bird or bat droppings that have accumulated in one area for 3-5 years. The spores from this fungus become airborne when the area is disturbed and can cause infections over an entire community downwind of the site. The area should be wetted down prior to cleanup or demolition of the project site. For more detailed information on histoplasmosis prevention and control, please contact the Acute Disease Control Division of the Indiana State Department of Health at (317) 233-7272.

2. The U.S. EPA and the Surgeon General recommend that people not have long-term exposure to radon at levels above 4 pCi/L. (For a county-by-county map of predicted radon levels in Indiana, visit: <http://www.in.gov/idem/4145.htm> (<http://www.in.gov/idem/4145.htm>).

The U.S. EPA further recommends that all homes (and apartments within three stories of ground level) be tested for radon. If in-home radon levels are determined to be 4 pCi/L, or higher, EPA recommends a follow-up test. If the second test confirms that radon levels are 4 pCi/L, or higher, EPA recommends the installation of radon-reduction measures. (For a list of qualified radon testers and radon mitigation (or reduction) specialists visit: [http://www.in.gov/isdh/regsvcs/radhealth/pdfs/radon\\_testers\\_mitigators\\_list.pdf](http://www.in.gov/isdh/regsvcs/radhealth/pdfs/radon_testers_mitigators_list.pdf) ([http://www.in.gov/isdh/regsvcs/radhealth/pdfs/radon\\_testers\\_mitigators\\_list.pdf](http://www.in.gov/isdh/regsvcs/radhealth/pdfs/radon_testers_mitigators_list.pdf))). It also is recommended that radon reduction measures be built into all new homes, particularly in areas like Indiana that have moderate to high predicted radon levels.

To learn more about radon, radon risks, and ways to reduce exposure visit:

<http://www.in.gov/isdh/regsvcs/radhealth/radon.htm> (<http://www.in.gov/isdh/regsvcs/radhealth/radon.htm>), <http://www.in.gov/idem/4145.htm> (<http://www.in.gov/idem/4145.htm>), or <http://www.epa.gov/radon/index.html> (<http://www.epa.gov/radon/index.html>).

3. With respect to asbestos removal: all facilities slated for renovation or demolition (except residential buildings that have (4) four or fewer dwelling units and which will not be used for commercial purposes) must be inspected by an Indiana-licensed asbestos inspector prior to the commencement of any renovation or demolition activities. If regulated asbestos-containing material (RACM) that may become airborne is found, any subsequent demolition, renovation, or asbestos removal activities must be performed in accordance with the proper notification and emission control requirements.

If no asbestos is found where a renovation activity will occur, or if the renovation involves removal of less than 260 linear feet of RACM off of pipes, less than 160 square feet of RACM off of other facility components, or

less than 35 cubic feet of RACM off of all facility components, the owner or operator of the project does not need to notify IDEM before beginning the renovation activity.

For questions on asbestos demolition and renovation activities, you can also call IDEM's Lead/Asbestos section at 1-888-574-8150.

However, in all cases where a demolition activity will occur (even if no asbestos is found), the owner or operator must still notify IDEM 10 working days prior to the demolition, using the form found at <http://www.in.gov/icpr/webfile/formsdiv/44593.pdf> (<http://www.in.gov/icpr/webfile/formsdiv/44593.pdf>).

Anyone submitting a renovation/demolition notification form will be billed a notification fee based upon the amount of friable asbestos containing material to be removed or demolished. Projects that involve the removal of more than 2,600 linear feet of friable asbestos containing materials on pipes, or 1,600 square feet or 400 cubic feet of friable asbestos containing material on other facility components, will be billed a fee of \$150 per project; projects below these amounts will be billed a fee of \$50 per project. All notification remitters will be billed on a quarterly basis.

For more information about IDEM policy regarding asbestos removal and disposal, visit: <http://www.in.gov/idem/4983.htm> (<http://www.in.gov/idem/4983.htm>).

4. With respect to lead-based paint removal: IDEM encourages all efforts to minimize human exposure to lead-based paint chips and dust. IDEM is particularly concerned that young children exposed to lead can suffer from learning disabilities. Although lead-based paint abatement efforts are not mandatory, any abatement that is conducted within housing built before January 1, 1978, or a child-occupied facility is required to comply with all lead-based paint work practice standards, licensing and notification requirements. For more information about lead-based paint removal visit: <http://www.in.gov/isdh/19131.htm> (<http://www.in.gov/isdh/19131.htm>).
5. Ensure that asphalt paving plants are permitted and operate properly. The use of cutback asphalt, or asphalt emulsion containing more than seven percent (7%) oil distillate, is prohibited during the months April through October. See 326 IAC 8-5-2, Asphalt Paving Rule (<http://www.ai.org/legislative/iac/T03260/A00080.PDF> (<http://www.ai.org/legislative/iac/T03260/A00080.PDF>)).
6. If your project involves the construction of a new source of air emissions or the modification of an existing source of air emissions or air pollution control equipment, it will need to be reviewed by the IDEM Office of Air Quality (OAQ). A registration or permit may be required under 326 IAC 2 (View at: [www.ai.org/legislative/iac/t03260/a00020.pdf](http://www.ai.org/legislative/iac/t03260/a00020.pdf) (<http://www.ai.org/legislative/iac/t03260/a00020.pdf>)). New sources that use or emit hazardous air pollutants may be subject to Section 112 of the Clean Air Act and corresponding state air regulations governing hazardous air pollutants.
7. For more information on air permits visit: <http://www.in.gov/idem/4223.htm> (<http://www.in.gov/idem/4223.htm>), or to initiate the IDEM air permitting process, please contact the Office of Air Quality Permit Reviewer of the Day at (317) 233-0178 or OAMPROD atdem.state.in.us.

## LAND QUALITY

In order to maintain compliance with all applicable laws regarding contamination and/or proper waste disposal, IDEM recommends that:

1. If the site is found to contain any areas used to dispose of solid or hazardous waste, you need to contact the Office of Land Quality (OLQ) at 317-308-3103.
2. All solid wastes generated by the project, or removed from the project site, need to be taken to a properly permitted solid waste processing or disposal facility. For more information, visit <http://www.in.gov/idem/4998.htm> (<http://www.in.gov/idem/4998.htm>).
3. If any contaminated soils are discovered during this project, they may be subject to disposal as hazardous waste. Please contact the OLQ at 317-308-3103 to obtain information on proper disposal procedures.
4. If PCBs are found at this site, please contact the Industrial Waste Section of OLQ at 317-308-3103 for information regarding management of any PCB wastes from this site.
5. If there are any asbestos disposal issues related to this site, please contact the Industrial Waste Section of OLQ at 317-308-3103 for information regarding the management of asbestos wastes (Asbestos removal is addressed above, under Air Quality).
6. If the project involves the installation or removal of an underground storage tank, or involves contamination from an underground storage tank, you must contact the IDEM Underground Storage Tank program at 317/308-3039. See: <http://www.in.gov/idem/4999.htm> (<http://www.in.gov/idem/4999.htm>).

## FINAL REMARKS

Should you need to obtain any environmental permits in association with this proposed project, please be mindful that IC 13-15-8 requires that you notify all adjoining property owners and/or occupants within ten days your submittal of each permit application. However, if you are seeking multiple permits, you can still meet the notification requirement with a single notice if all required permit applications are submitted with the same ten day period.

Should the scope of the proposed project be expanded to the extent that a National Environmental Policy Act Environmental Assessment (EA) or Environmental Impact Statement (EIS) is required, IDEM will actively participate in any early interagency coordination review of the project.

Meanwhile, please note that this letter does not constitute a permit, license, endorsement or any other form of approval on the part of the Indiana Department of Environmental Management regarding any project for which a copy of this letter is used. Also note that is it the responsibility of the project engineer or consultant using this letter to ensure that the most current draft of this document, which is located at <http://www.in.gov/idem/5284.htm> (<http://www.in.gov/idem/5284.htm>), is used.

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## Signature(s) of the Applicant

I acknowledge that the following proposed roadway project will be financed in part, or in whole, by public monies.

### Project Description

This project proposes to construct roundabouts at the interchange of I-65 and 109th Avenue in Lake County. The three lane cross section of 109th Avenue will be retained with two eastbound lanes and one westbound lane. New storm sewers will be installed throughout the project area. The culvert conveying drainage under 109th Avenue near the eastern project terminus will be extended to accommodate roadway widening.

With my signature, I do hereby affirm that I have read the letter from the Indiana Department of Environment that appears directly above. In addition, I understand that in order to complete that project in which I am interested, with a minimum of impact to the environment, I must consider all the issues addressed in the aforementioned letter, and further, that I must obtain any required permits.

Date: 8-18-2020

Signature of the INDOT  
Project Engineer or Other Responsible Agent

*John Krueckeberg*

Date: 8/14/2020

Signature of the  
For Hire Consultant

*Christian Radcliff*

Christian Radcliff

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State of Indiana  
DEPARTMENT OF NATURAL RESOURCES  
Division of Fish and Wildlife  
Early Coordination/Environmental Assessment

DNR #: ER-21321

Request Received: February 28, 2019

**Requestor:** Green 3 LLC  
Christian Radcliff  
1104 Prospect Street  
Indianapolis, IN 46203

**Project:** I-65 at 109th Avenue interstate access improvements with construction of 2 roundabouts at both ramp interchanges, east of Crown Point; Des #1801500

**County/Site info:** Lake

The Indiana Department of Natural Resources has reviewed the above referenced project per your request. Our agency offers the following comments for your information and in accordance with the National Environmental Policy Act of 1969.

If our agency has regulatory jurisdiction over the project, the recommendations contained in this letter may become requirements of any permit issued. If we do not have permitting authority, all recommendations are voluntary.

\*NOTE: This project is within the Lake Michigan Coastal Program's boundary; therefore, it may be subject to Federal Consistency (FC) review. For more information, please go to <http://www.in.gov/dnr/lakemich/files/20070214-IR-312070085NRA.xml.pdf>. Section III (pages 8-16) lists the federal activities that require a project to go through the FC process, which is outlined at <http://www.in.gov/dnr/lakemich/6041.htm>.

**Regulatory Assessment:** This proposal may require the formal approval of our agency pursuant to the Flood Control Act (IC 14-28-1) if any construction, excavation, or fill will occur in or on the floodway of the Unnamed Tributary Main Beaver Dam Ditch. Please submit more detailed plans to the Division of Water's Technical Services Section if you are unsure whether or not a permit will be required.

**Natural Heritage Database:** The Natural Heritage Program's data have been checked. To date, no plant or animal species listed as state or federally threatened, endangered, or rare have been reported to occur in the project vicinity.

**Fish & Wildlife Comments:** The information submitted did not indicate any impacts to the UNT Main Beaver Dam Ditch located immediately east of the easternmost proposed roundabout. If possible, we recommend avoiding impacts to this tributary and its narrow riparian corridor by moving this roundabout to the west as needed.

Avoid and minimize impacts to fish, wildlife, and botanical resources to the greatest extent possible, and compensate for impacts. The following are recommendations that address potential impacts identified in the proposed project area:

1) Stream Crossing:

For purposes of maintaining fish and wildlife passage through a crossing structure, the Environmental Unit recommends bridges rather than culverts and bottomless culverts rather than box or pipe culverts. Wide culverts are better than narrow culverts, and culverts with shorter through lengths are better than culverts with longer through lengths. If box or pipe culverts are used, the bottoms should be buried a minimum of 6" (or 20% of the culvert height/pipe diameter, whichever is greater up to a maximum of 2') below the stream bed elevation to allow a natural streambed to form within or under the crossing structure. Crossings should: span the entire channel width (a minimum of 1.2

**State of Indiana**  
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**Division of Fish and Wildlife**  
**Early Coordination/Environmental Assessment**

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times the bankful width); maintain the natural stream substrate within the structure; have a minimum openness ratio (height x width / length) of 0.25; and have stream depth and water velocities during low-flow conditions that are approximate to those in the natural stream channel.

The new, replacement, or rehabbed structure, and any bank stabilization under the structure, should not create conditions that are less favorable for wildlife passage under the structure compared to the current conditions. When determining an appropriate bridge or culvert size, consider whether or not wildlife/vehicle collisions are a concern at the crossing site. If feasible, a larger bridge or culvert opening can allow for the movement of wildlife under the roadway in order to minimize wildlife/vehicle collisions.

**2) Bank Stabilization:**

Establishing vegetation along the banks is critical for stabilization and erosion control. In addition to vegetation, some other form of bank stabilization may be needed. While hard armoring alone (e.g. riprap or glacial stone) may be needed in certain instances, soft armoring and bioengineering techniques should be considered first. In many instances, one or more methods are necessary to increase the likelihood of vegetation establishment. Combining vegetation with most bank stabilization methods can provide additional bank protection and help reduce impacts upon fish and wildlife. Information about bioengineering techniques can be found at <http://www.in.gov/legislative/iac/20120404-IR-312120154NRA.xml.pdf>. Also, the following is a USDA/NRCS document that outlines many different bioengineering techniques for streambank stabilization: <http://directives.sc.egov.usda.gov/17553.wba>.

Riprap must not be placed in the active thalweg channel or placed in the streambed in a manner that precludes fish or aquatic organism passage (riprap must not be placed above the existing streambed elevation). Riprap may be used only at the toe of the sideslopes up to the ordinary high water mark (OHWM). The banks above the OHWM must be restored, stabilized, and revegetated using geotextiles and a mixture of grasses, sedges, wildflowers, shrubs, and trees native to Northern Indiana and specifically for stream bank/floodway stabilization purposes as soon as possible upon completion.

**3) Riparian Habitat:**

We recommend a mitigation plan be developed (and submitted with the permit application, if required) for any unavoidable habitat impacts that will occur. The DNR's Floodway Habitat Mitigation guidelines (and plant lists) can be found online at: <http://www.in.gov/legislative/iac/20190130-IR-312190041NRA.xml.pdf>.

Impacts to non-wetland forest of one (1) acre or more should be mitigated at a minimum 2:1 ratio. If less than one acre of non-wetland forest is removed in a rural setting, replacement should be at a 1:1 ratio based on area. Impacts to non-wetland forest under one (1) acre in an urban setting should be mitigated by planting five trees, at least 2 inches in diameter-at-breast height (dbh), for each tree which is removed that is 10" dbh or greater (5:1 mitigation based on the number of large trees).

The additional measures listed below should be implemented to avoid, minimize, or compensate for impacts to fish, wildlife, and botanical resources:

1. Revegetate all bare and disturbed areas within the project area using a mixture of grasses (excluding all varieties of tall fescue), sedges, wildflowers, shrubs, and hardwood trees native to northern Indiana and specifically for stream bank/floodway stabilization purposes as soon as possible upon completion.
2. Minimize and contain within the project limits inchannel disturbance and the clearing of trees and brush.
3. Do not work in the waterway from April 1 through June 30 without the prior written

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**DEPARTMENT OF NATURAL RESOURCES**  
**Division of Fish and Wildlife**  
**Early Coordination/Environmental Assessment**

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approval of the Division of Fish and Wildlife.

4. Do not cut any trees suitable for Indiana bat or Northern Long-eared bat roosting (greater than 5 inches dbh, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 through September 30.
5. Do not construct any temporary runarounds, causeways, cofferdams, diversions, or pump arounds without approval from the Division of Fish and Wildlife.
6. Minimize the movement of resuspended bottom sediment from the immediate project area.
7. Do not deposit or allow demolition/construction materials or debris to fall or otherwise enter the waterway.
8. Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the stream or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized.
9. Seed and protect all disturbed streambanks and slopes not protected by other methods that are 3:1 or steeper with erosion control blankets that are heavy-duty, biodegradable, and net free or that use loose-woven / Leno-woven netting to minimize the entrapment and snaring of small-bodied wildlife such as snakes and turtles (follow manufacturer's recommendations for selection and installation); seed and apply mulch on all other disturbed areas.

**Contact Staff:**

Christie L. Stanifer, Environ. Coordinator, Fish & Wildlife

Our agency appreciates this opportunity to be of service. Please contact the above staff member at (317) 232-4080 if we can be of further assistance.



**Date:** March 28, 2019

Christie L. Stanifer  
Environ. Coordinator  
Division of Fish and Wildlife



# INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue  
Room N642  
Indianapolis, Indiana 46204

PHONE: (317) 233-6795

**Eric J. Holcomb, Governor**  
**Joe McGuinness, Commissioner**

January 30, 2020

Sample early re-coordination letter - graphics and photos from Appendix B were included.

Re: Des. No. 1801500, I-65 at 109<sup>th</sup> Avenue Interstate Access Project (Re-coordination) - Lake County, Indiana

Agency Representative,

The Indiana Department of Transportation (INDOT) and Federal Highway Administration (FHWA) intend to proceed with a project involving the interstate access ramps at I-65 and 109<sup>th</sup> Avenue in Lake County, Indiana. This letter is part of the early coordination phase of the environmental review process. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. Please use the above designation number (Des. No.) and description in your reply. We will incorporate your comments into a study of the project's environmental impacts.

The scope of this project has been updated to accommodate anticipated changes to the roadway corridor east and west of the existing facility. The original scope items included constructing roundabouts at the intersections of the I-65 ramps and 109<sup>th</sup> Avenue that provided one lane for westbound traffic and two lanes for eastbound traffic. Additional slip lanes were proposed to access the northbound ramp from 109<sup>th</sup> Avenue and accessing 109<sup>th</sup> Avenue from the southbound exit ramp. The existing two-way turn lane was proposed to be converted to a dedicated eastbound travel lane. New storm drainage sewers would be installed along the project corridor. The existing drainage culvert that runs under 109<sup>th</sup> Avenue near the eastern project terminus would be extended to accommodate the widened pavement. It was assumed that less than 0.5 acre of right of way would be required to construct the project.

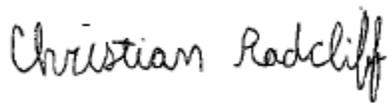
The updated scope of work includes converting the existing three-lane cross section to a four-lane cross section with two travel lanes in each direction. The existing abutments for the bridges carrying I-65 over 109<sup>th</sup> Avenue will be modified to accommodate the new roadway configuration. Modifications to the abutments of the bridges include removing the existing slopewalls and installing Mechanically Stabilized Earth (MSE) walls at the bridge ends for support. One westbound lane will utilize the area between the existing north pier of the bridge and the proposed north MSE wall and three lanes will utilize the existing configuration between the two existing bridge piers. A pedestrian trail that is 6 feet in width will be constructed between the existing south bridge pier and the proposed south MSE wall. New storm drainage sewers will be installed along the project corridor and the culvert running under 109<sup>th</sup> Avenue near the eastern project terminus will be extended to accommodate the widened roadway. More than 0.5 acre of right of way is anticipated to be required to complete the project. A full roadway closure of 109<sup>th</sup> Avenue and the on and off ramps of I-65 at 109<sup>th</sup> Avenue is anticipated. The I-65 mainline will remain unimpeded. Traffic will be maintained through an official detour route that meets INDOT/MUTCD standards that will be determined during the project development process. Project letting is anticipated to be in April 2021.

Land use in the vicinity of the project is primarily the maintained right of way of the I-65 interchange. A drainage ditch that empties into a lake on the southeast quadrant of the interchange can be found near the eastern project terminus. There is a narrow riparian corridor along this drainage ditch. Beyond the interchange of I-65 and 109<sup>th</sup> Avenue is a mix of agricultural land, maintained lawn, and residential and

commercial parcels. A Waters of the US Report will be completed to identify any ecological resources that may be present. The USFWS range-wide programmatic informal consultation for the Indiana bat and northern long-eared bat will be completed for this project. An historical investigation will be completed to satisfy the requirement of Section 106 of the National Historic Preservation Act.

Please respond with comments, questions, and concerns **within thirty (30) calendar days** from the date of this letter; if no response is received, it will be assumed that your agency feels that there are no adverse effects incurred as a result of this proposed project. However, should you find that an extension to the response time is necessary, a reasonable amount may be granted upon request. If you have any questions regarding this matter, please feel free to contact Christian Radcliff at Green 3, LLC at [christian@green3studio.com](mailto:christian@green3studio.com) or 317-634-4110, or INDOT Project Manager John Krueckeberg at [jkrueckeberg@indot.in.gov](mailto:jkrueckeberg@indot.in.gov) or 219-325-7520. Thank you in advance for your input on this project.

Sincerely,



Christian Radcliff  
Green 3, LLC

Enclosures:  
Mailing List  
Project Maps  
Ground Level Photographs

## Christian Radcliff

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**From:** McCloskey, Elizabeth <elizabeth\_mccloskey@fws.gov>  
**Sent:** Friday, February 7, 2020 11:34 AM  
**To:** Christian Radcliff  
**Subject:** Re: Federally Funded Des 1801500 I-65 at 109th Avenue Interstate Access Project

Good morning, the USFWS does not have any concerns about this change.

Elizabeth McCloskey  
U.S. Fish and Wildlife Service  
Northern Indiana Suboffice  
Chesterton, Indiana

---

**From:** Christian Radcliff <christian@green3studio.com>  
**Sent:** Thursday, January 30, 2020 3:11 PM  
**To:** McCloskey, Elizabeth <elizabeth\_mccloskey@fws.gov>; Newland, Joyce (FHWA) <Joyce.Newland@dot.gov>; environmentalreview@dnr.in.gov <environmentalreview@dnr.in.gov>; rclark@indot.in.gov <rclark@indot.in.gov>; Santiago, Hector R <Hector\_Santiago@nps.gov>; michael.e.wurl@hud.gov <michael.e.wurl@hud.gov>; chicagorequests@usace.army.mil <chicagorequests@usace.army.mil>; emerson@lakecountyin.org <emerson@lakecountyin.org>; duran@crownpoint.in.gov <duran@crownpoint.in.gov>; dnicksch@crownpoint.in.gov <dnicksch@crownpoint.in.gov>; cjefferies@crownpoint.in.gov <cjefferies@crownpoint.in.gov>; ryoung@laportecounty.org <ryoung@laportecounty.org>; dbrite@crownpoint.in.gov <dbrite@crownpoint.in.gov>; twarner@nirpc.org <twarner@nirpc.org>  
**Cc:** Wright, Mary <MWRIGHT@indot.IN.gov>  
**Subject:** [EXTERNAL] RE: Federally Funded Des 1801500 I-65 at 109th Avenue Interstate Access Project

Good afternoon,

The scope for the referenced project has been updated. Please see the attached re-coordination letter for your review and comment. Please respond with comments, questions, and concerns **within thirty (30) calendar days** from the date of this letter; if no response is received, it will be assumed that your agency feels that there are no adverse effects incurred as a result of this proposed project. However, should you find that an extension to the response time is necessary, a reasonable amount may be granted upon request.

Thanks,

Christian Radcliff  
Ecologist

[christian@green3studio.com](mailto:christian@green3studio.com)

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State of Indiana  
DEPARTMENT OF NATURAL RESOURCES  
Division of Fish and Wildlife  
Early Coordination/Environmental Assessment

DNR #: ER-21321-1

Request Received: January 30, 2020

**Requestor:** Green 3 LLC  
Christian Radcliff  
1104 Prospect Street  
Indianapolis, IN 46203

**Project:** I-65 at 109th Avenue interstate access improvements with construction of 2 roundabouts at both ramp interchanges, 109th Avenue added travel lane, and I-65 bridge abutment modifications, east of Crown Point; Des #1801500

**County/Site info:** Lake

The Indiana Department of Natural Resources has reviewed the above referenced project per your request. Our agency offers the following comments for your information and in accordance with the National Environmental Policy Act of 1969.

If our agency has regulatory jurisdiction over the project, the recommendations contained in this letter may become requirements of any permit issued. If we do not have permitting authority, all recommendations are voluntary.

\*NOTE: This project is within the Lake Michigan Coastal Program's boundary; therefore, it may be subject to Federal Consistency (FC) review. Please go to <http://www.in.gov/dnr/lakemich/files/20070214-IR-312070085NRA.xml.pdf> (Section III, pages 8-16) to see the federal activities that require a project to go through the FC process which is outlined at <http://www.in.gov/dnr/lakemich/6041.htm>.

**Regulatory Assessment:** This proposal may require the formal approval of our agency pursuant to the Flood Control Act (IC 14-28-1) if any construction, excavation, or fill will occur in or on the floodway of the Unnamed Tributary Main Beaver Dam Ditch. Please submit more detailed plans to the Division of Water's Technical Services Section if you are unsure whether or not a permit will be required.

**Natural Heritage Database:** The Natural Heritage Program's data have been checked. To date, no plant or animal species listed as state or federally threatened, endangered, or rare have been reported to occur in the project vicinity.

**Fish & Wildlife Comments:** All of the recommendations in our previous letter dated March 28, 2019, still apply.

**Contact Staff:** Christie L. Stanifer, Environ. Coordinator, Fish & Wildlife  
Our agency appreciates this opportunity to be of service. Please contact the above staff member at (317) 232-4080 if we can be of further assistance.



Christie L. Stanifer  
Environ. Coordinator  
Division of Fish and Wildlife

Date: February 26, 2020



6100 Southport Road  
Portage, Indiana 46368  
(219) 763-6060  
www.nirpc.org

February 28, 2020

Christian Radcliff  
Green 3, LLC  
1104 Prospect Street  
Indianapolis, IN 46203

Re: Des. No. 1801500, I-65 at 109<sup>th</sup> Avenue Interstate Access Project (Re-coordination) - Lake County, Indiana

Dear Mr. Radcliff,

A review of aerial and LIDAR imagery by NIRPC shows the project area drains directly to a segment of Main Beaver Dam Ditch which is included on the 303(d) List of Impaired Waterbodies. Impairments identified in this reach include impaired biotic communities, nutrients and *E. coli*. A TMDL and watershed management plan were completed by IDEM and NIRPC to help identify restoration actions that would ultimately result in the delisting of Main Beaver Dam Ditch and other waterways in the Deep River-Portage Burns Waterway watershed. NIRPC's primary concern, as it relates to the project area, is the impaired biotic communities.

Based on the findings and recommendations in the TMDL and watershed management plan, NIRPC encourages INDOT to design and incorporate post-construction storm water best management practices that focus on increased storage, reduction in peak flow rates and sediment loading. Possible BMPs identified in the TMDL and watershed management plan that could be retrofitted into the transportation system ROW include, but are not necessarily limited to, a bioretention or stormwater wetland facility. Additional BMPs may be warranted as part of a treatment train to reduce velocities or provide pretreatment. Incorporation of native plantings (herbaceous, shrubs, trees) to enhance pollinator habitat is also strongly encouraged as part of the design.

The Deep River-Portage Burns Waterway Watershed Management Plan is available on NIRPC's website. The Deep River-Portage Burns Waterway TMDL Report is available on IDEM's website. Please do not hesitate to contact me if you should have any questions.

Sincerely,

Senior Water Resource Planner  
Northwestern Indiana Regional Planning Commission



## United States Department of the Interior



### FISH AND WILDLIFE SERVICE

Indiana Ecological Services Field Office

620 South Walker Street

Bloomington, IN 47403-2121

Phone: (812) 334-4261 Fax: (812) 334-4273

<http://www.fws.gov/midwest/Endangered/section7/s7process/step1.html>

In Reply Refer To:

July 14, 2020

Consultation Code: 03E12000-2020-SLI-0577

Event Code: 03E12000-2020-E-08717

Project Name: Des 1801500 I-65 at 109th Avenue Interstate Access Project

Subject: Updated list of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The attached species list identifies any federally threatened, endangered, proposed and candidate species that may occur within the boundary of your proposed project or may be affected by your proposed project. The list also includes designated critical habitat if present within your proposed project area or affected by your project. This list is provided to you as the initial step of the consultation process required under section 7(c) of the Endangered Species Act, also referred to as Section 7 Consultation.

Section 7 of the Endangered Species Act of 1973 requires that actions authorized, funded, or carried out by Federal agencies not jeopardize federally threatened or endangered species or adversely modify designated critical habitat. To fulfill this mandate, Federal agencies (or their designated non-federal representative) must consult with the Service if they determine their project “may affect” listed species or critical habitat.

Under 50 CFR 402.12(e) (the regulations that implement Section 7 of the Endangered Species Act) the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally. You may verify the list by visiting the ECOS-IPaC website <http://ecos.fws.gov/ipac/> at regular intervals during project planning and implementation and completing the same process you used to receive the attached list. As an alternative, you may contact this Ecological Services Field Office for updates.

Please use the species list provided and visit the U.S. Fish and Wildlife Service's Region 3 Section 7 Technical Assistance website at - <http://www.fws.gov/midwest/endangered/section7/s7process/index.html>. This website contains step-by-step instructions which will help you

determine if your project will have an adverse effect on listed species and will help lead you through the Section 7 process.

For all **wind energy projects** and **projects that include installing towers that use guy wires or are over 200 feet in height**, please contact this field office directly for assistance, even if no federally listed plants, animals or critical habitat are present within your proposed project or may be affected by your proposed project.

Although no longer protected under the Endangered Species Act, be aware that bald eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*) and Migratory Bird Treaty Act (16 U.S.C. 703 *et seq.*), as are golden eagles. Projects affecting these species may require measures to avoid harming eagles or may require a permit. If your project is near an eagle nest or winter roost area, see our Eagle Permits website at <http://www.fws.gov/midwest/midwestbird/EaglePermits/index.html> to help you determine if you can avoid impacting eagles or if a permit may be necessary.

We appreciate your concern for threatened and endangered species. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

## Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**Indiana Ecological Services Field Office**

620 South Walker Street

Bloomington, IN 47403-2121

(812) 334-4261

## Project Summary

Consultation Code: 03E12000-2020-SLI-0577

Event Code: 03E12000-2020-E-08717

Project Name: Des 1801500 I-65 at 109th Avenue Interstate Access Project

Project Type: TRANSPORTATION

**Project Description:** The Indiana Department of Transportation (INDOT) and Federal Highway Administration (FHWA) intend to proceed with an interstate access project (Des 1801500) at I-65 and 109th Avenue in Crown Point, Lake County, Indiana. The improvements will include converting the existing stop light controlled interchange to roundabouts to address the long queue lines. The roundabouts will provide two eastbound lanes and two westbound lanes throughout the corridor. The bridges carrying I-65 over 109th Avenue (I65-249-04900 BSBL and I65-249-04900 BNBL) will be modified to fit the additional lane of traffic and trail through the corridor. One lane of traffic will be routed between the northern abutment and the northern pier, the existing three-lane cross section will be maintained between the northern pier and the southern pier, and the area between the southern pier and southern abutment will be reserved for a future pedestrian trail construction. The existing box culvert that conveys drainage under 109th Avenue on the east side of the project area will be extended to the north and the south to accommodate the widened pavement. This culvert is not located in BIAS and does not have a dedicated culvert identification number. New storm sewers will be installed along the length of the project area.

This project does not involve the surrounding landscape at existing facilities, mitigation activities, slash pile burning, or work on any structures other than the culvert and bridge detailed above. A review of the USFWS database for endangered and threatened bat species by INDOT LaPorte District staff on April 14, 2020 did not indicate the presence of endangered or threatened bat species within 0.5 mile of the project area. The inspection of the bridge carrying I-65 over 109th Avenue and the culverts within the project area on May 22, 2019 did not indicate the presence of bats. Suitable habitat within the vicinity of the project area includes stands of trees along the drainage feature that is carried by the box culvert. Additionally, there are individual trees and small stands of trees that are within 1,000 feet of forested riparian areas. Tree clearing of approximately 0.09 acre is anticipated for the project and will occur between approximately 40 and 80 feet of the existing roadway. The dominant tree to be removed is Black Willow (*Salix nigra*). The project

scope includes installing permanent lighting along the bridge carrying I-65 over 109th Avenue and at the proposed roundabouts. Temporary lighting may be utilized to complete construction. Construction is anticipated to be completed between June 2021 and September 2022.

**Project Location:**

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/41.42025958356002N87.31944065864953W>



Counties: Lake, IN

## Endangered Species Act Species

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## Mammals

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/5949">https://ecos.fws.gov/ecp/species/5949</a> Species survey guidelines: <a href="https://ecos.fws.gov/ipac/guideline/survey/population/1/office/31440.pdf">https://ecos.fws.gov/ipac/guideline/survey/population/1/office/31440.pdf</a>	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> <li>▪ Incidental take of the NLEB is not prohibited here. Federal agencies may consult using the 4(d) rule streamlined process. Transportation projects may consult using the programmatic process. See <a href="http://www.fws.gov/midwest/endangered/mammals/nleb/index.html">www.fws.gov/midwest/endangered/mammals/nleb/index.html</a></li> </ul> Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Threatened

## Flowering Plants

NAME	STATUS
Mead's Milkweed <i>Asclepias meadii</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/8204">https://ecos.fws.gov/ecp/species/8204</a>	Threatened

## **Critical habitats**

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

## Christian Radcliff

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**From:** Murray, Bridgette M <BMurray@indot.IN.gov>  
**Sent:** Tuesday, July 14, 2020 3:49 PM  
**To:** Christian Radcliff  
**Subject:** RE: Des 1801500 I-65 at 109th Avenue Updated IPaC

Hi Christian,

I reviewed your IPaC submittal and submitted it to the USFWS. The concurrence letter is now within the project documents.

This concludes the Section 7 requirements for this project. If any scope changes occur let us know as IPaC may need to be reevaluated.

Please note that the anticipated construction date for this project is more than two years after the bridge/culvert assessments were completed.

The following firm commitment needs to be included in the NEPA document and a re-inspection will need to be completed prior to letting:

USFWS Bridge/Structure Assessment shall take place no earlier than two (2) years prior to the start of construction. If construction will begin after (date of inspection, plus 2 years), an inspection of the structure by a qualified individual, must be performed. Inspection of the structure should check for presence of bats/bat indicators and/or presence of birds. The results of the inspection must indicate no signs of bats or birds. If signs of bats or birds are documented during this inspection, the INDOT District Environmental Manager must be contacted immediately.

### Bridgette Murray

#### Environmental Manager

INDOT - LaPorte District

315 East Boyd Blvd.

LaPorte, IN 46350

**Office:** (219) 325-7531

**Email:** [bmurray@indot.in.gov](mailto:bmurray@indot.in.gov)



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**From:** Christian Radcliff <[christian@green3studio.com](mailto:christian@green3studio.com)>

**Sent:** Tuesday, July 14, 2020 12:36 PM

**To:** Murray, Bridgette M <BMurray@indot.IN.gov>

**Cc:** Sharkey, Ashley <[AsSharkey@indot.IN.gov](mailto:AsSharkey@indot.IN.gov)>; Michels, Stewart <[SMichels@indot.IN.gov](mailto:SMichels@indot.IN.gov)>

**Subject:** RE: Des 1801500 I-65 at 109th Avenue Updated IPaC

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

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Good afternoon Bridgette,



## United States Department of the Interior



### FISH AND WILDLIFE SERVICE

Indiana Ecological Services Field Office

620 South Walker Street

Bloomington, IN 47403-2121

Phone: (812) 334-4261 Fax: (812) 334-4273

<http://www.fws.gov/midwest/Endangered/section7/s7process/step1.html>

In Reply Refer To:

July 14, 2020

Consultation Code: 03E12000-2020-I-0577

Event Code: 03E12000-2020-E-08724

Project Name: Des 1801500 I-65 at 109th Avenue Interstate Access Project

Subject: Concurrence verification letter for the 'Des 1801500 I-65 at 109th Avenue Interstate Access Project' project under the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request to verify that the **Des 1801500 I-65 at 109th Avenue Interstate Access Project** (Proposed Action) may rely on the concurrence provided in the February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C 1531 *et seq.*).

Based on the information you provided (Project Description shown below), you have determined that the Proposed Action is within the scope and adheres to the criteria of the PBO, including the adoption of applicable avoidance and minimization measures, and may affect, but is not likely to adversely affect (NLAA) the endangered Indiana bat (*Myotis sodalis*) and/or the threatened Northern long-eared bat (*Myotis septentrionalis*).

The Service has 14 calendar days to notify the lead Federal action agency or designated non-federal representative if we determine that the Proposed Action does not meet the criteria for a NLAA determination under the PBO. If we do not notify the lead Federal action agency or designated non-federal representative within that timeframe, you may proceed with the Proposed Action under the terms of the NLAA concurrence provided in the PBO. This verification period allows Service Field Offices to apply local knowledge to implementation of the PBO, as we may identify a small subset of actions having impacts that were unanticipated. In such instances, Service Field Offices may request additional information that is necessary to verify inclusion of the proposed action under the PBO.

**For Proposed Actions that include bridge/structure removal, replacement, and/or maintenance activities:** If your initial bridge/structure assessments failed to detect Indiana bats, but you later detect bats during construction, please submit the Post Assessment Discovery of Bats at Bridge/Structure Form (User Guide Appendix E) to this Service Office. In these instances, potential incidental take of Indiana bats may be exempted provided that the take is reported to the Service.

If the Proposed Action is modified, or new information reveals that it may affect the Indiana bat and/or Northern long-eared bat in a manner or to an extent not considered in the PBO, further review to conclude the requirements of ESA Section 7(a)(2) may be required. If the Proposed Action may affect any other federally-listed or proposed species, and/or any designated critical habitat, additional consultation between the lead Federal action agency and this Service Office is required. If the proposed action has the potential to take bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act may also be required. In either of these circumstances, please contact this Service Office.

The following species may occur in your project area and **are not** covered by this determination:

- Mead's Milkweed, *Asclepias meadii* (Threatened)

## Project Description

The following project name and description was collected in IPaC as part of the endangered species review process.

### Name

Des 1801500 I-65 at 109th Avenue Interstate Access Project

### Description

The Indiana Department of Transportation (INDOT) and Federal Highway Administration (FHWA) intend to proceed with an interstate access project (Des 1801500) at I-65 and 109th Avenue in Crown Point, Lake County, Indiana. The improvements will include converting the existing stop light controlled interchange to roundabouts to address the long queue lines. The roundabouts will provide two eastbound lanes and two westbound lanes throughout the corridor. The bridges carrying I-65 over 109th Avenue (I65-249-04900 BSBL and I65-249-04900 BNBL) will be modified to fit the additional lane of traffic and trail through the corridor. One lane of traffic will be routed between the northern abutment and the northern pier, the existing three-lane cross section will be maintained between the northern pier and the southern pier, and the area between the southern pier and southern abutment will be reserved for a future pedestrian trail construction. The existing box culvert that conveys drainage under 109th Avenue on the east side of the project area will be extended to the north and the south to accommodate the widened pavement. This culvert is not located in BIAS and does not have a dedicated culvert identification number. New storm sewers will be installed along the length of the project area.

This project does not involve the surrounding landscape at existing facilities, mitigation activities, slash pile burning, or work on any structures other than the culvert and bridge detailed above. A review of the USFWS database for endangered and threatened bat species by INDOT LaPorte District staff on April 14, 2020 did not indicate the presence of endangered or threatened bat species within 0.5 mile of the project area. The inspection of the bridge carrying I-65 over 109th Avenue and the culverts within the project area on May 22, 2019 did not indicate the presence of bats. Suitable habitat within the vicinity of the project area includes stands of trees along the drainage feature that is carried by the box culvert. Additionally, there are individual trees and small stands of trees that are within 1,000 feet of forested riparian areas. Tree clearing of approximately 0.09 acre is anticipated for the project and will occur between approximately 40 and 80 feet of the existing roadway. The dominant tree to be removed is Black Willow (*Salix nigra*). The project scope includes installing permanent lighting along the bridge carrying I-65 over 109th Avenue and at the proposed roundabouts. Temporary lighting may be utilized to complete construction. Construction is anticipated to be completed between June 2021 and September 2022.

## Determination Key Result

Based on your answers provided, this project(s) may affect, but is not likely to adversely affect the endangered Indiana bat and/or the threatened Northern long-eared bat, therefore, consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required. However, also based on your answers provided, this project may rely on the concurrence provided in the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

## Qualification Interview

1. Is the project within the range of the Indiana bat<sup>[1]</sup>?

[1] See [Indiana bat species profile](#)

**Automatically answered**

Yes

2. Is the project within the range of the Northern long-eared bat<sup>[1]</sup>?

[1] See [Northern long-eared bat species profile](#)

**Automatically answered**

Yes

3. Which Federal Agency is the lead for the action?

A) *Federal Highway Administration (FHWA)*

4. Are *all* project activities limited to non-construction<sup>[1]</sup> activities only? (examples of non-construction activities include: bridge/abandoned structure assessments, surveys, planning and technical studies, property inspections, and property sales)

[1] Construction refers to activities involving ground disturbance, percussive noise, and/or lighting.

No

5. Does the project include *any* activities that are **greater than** 300 feet from existing road/rail surfaces<sup>[1]</sup>?

[1] Road surface is defined as the actively used [e.g. motorized vehicles] driving surface and shoulders [may be pavement, gravel, etc.] and rail surface is defined as the edge of the actively used rail ballast.

No

6. Does the project include *any* activities **within** 0.5 miles of a known Indiana bat and/or NLEB hibernaculum<sup>[1]</sup>?

[1] For the purpose of this consultation, a hibernaculum is a site, most often a cave or mine, where bats hibernate during the winter (see suitable habitat), but could also include bridges and structures if bats are found to be hibernating there during the winter.

*No*

7. Is the project located **within** a karst area?

*No*

8. Is there *any* suitable<sup>[1]</sup> summer habitat for Indiana Bat or NLEB **within** the project action area<sup>[2]</sup>? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

[2] The action area is defined as all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action (50 CFR Section 402.02). Further clarification is provided by the [national consultation FAQs](#).

*Yes*

9. Will the project remove *any* suitable summer habitat<sup>[1]</sup> and/or remove/trim any existing trees **within** suitable summer habitat?

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

*Yes*

10. Will the project clear more than 20 acres of suitable habitat per 5-mile section of road/rail?

*No*

11. Have presence/probable absence (P/A) summer surveys<sup>[1][2]</sup> been conducted<sup>[3][4]</sup> **within** the suitable habitat located within your project action area?

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

[2] Presence/probable absence summer surveys conducted within the fall swarming/spring emergence home range of a documented Indiana bat hibernaculum (contact local Service Field Office for appropriate distance from hibernacula) that result in a negative finding requires additional consultation with the local Service Field Office to determine if clearing of forested habitat is appropriate and/or if seasonal clearing restrictions are needed to avoid and minimize potential adverse effects on fall swarming and spring emerging Indiana bats.

[3] For projects within the range of either the Indiana bat or NLEB in which suitable habitat is present, and no bat surveys have been conducted, the transportation agency will assume presence of the appropriate species. This assumption of presence should be based upon the presence of suitable habitat and the capability of bats to occupy it because of their mobility.

[4] Negative presence/probable absence survey results obtained using the [summer survey guidance](#) are valid for a minimum of two years from the completion of the survey unless new information (e.g., other nearby surveys) suggest otherwise.

*No*

12. Does the project include activities **within documented Indiana bat habitat**<sup>[1][2]</sup>?

[1] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry triangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

[2] For the purposes of this key, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) treed corridors located directly between documented roosting and foraging habitat.

*No*

13. Will the removal or trimming of habitat or trees occur **within** suitable but **undocumented Indiana bat** roosting/foraging habitat or travel corridors?

*Yes*

14. What time of year will the removal or trimming of habitat or trees **within** suitable but **undocumented Indiana bat** roosting/foraging habitat or travel corridors occur<sup>[1]</sup>?

[1] Coordinate with the local Service Field Office for appropriate dates.

*B) During the inactive season*

15. Does the project include activities **within documented NLEB habitat**<sup>[1][2]</sup>?

[1] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry biangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

[2] For the purposes of this key, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) treed corridors located directly between documented roosting and foraging habitat.

*No*

16. Will the removal or trimming of habitat or trees occur **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors?

*Yes*

17. What time of year will the removal or trimming of habitat or trees **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors occur?

*B) During the inactive season*

18. Will *any* tree trimming or removal occur **within** 100 feet of existing road/rail surfaces?

*Yes*

19. Will *any* tree trimming or removal occur **between** 100-300 feet of existing road/rail surfaces?

*No*

20. Are *all* trees that are being removed clearly demarcated?

*Yes*

21. Will the removal of habitat or the removal/trimming of trees include installing new or replacing existing **permanent** lighting?

*Yes*

22. Does the project include wetland or stream protection activities associated with compensatory wetland mitigation?

No

23. Does the project include slash pile burning?

No

24. Does the project include *any* bridge removal, replacement, and/or maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)?

Yes

25. Is there *any* suitable habitat<sup>[1]</sup> for Indiana bat or NLEB **within** 1,000 feet of the bridge? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

[1] See the Service's current [summer survey guidance](#) for our current definitions of suitable habitat.

Yes

26. Has a bridge assessment<sup>[1]</sup> been conducted **within** the last 24 months<sup>[2]</sup> to determine if the bridge is being used by bats?

[1] See [User Guide Appendix D](#) for bridge/structure assessment guidance

[2] Assessments must be completed no more than 2 years prior to conducting any work below the deck surface on all bridges that meet the physical characteristics described in the Programmatic Consultation, regardless of whether assessments have been conducted in the past. Due to the transitory nature of bat use, a negative result in one year does not guarantee that bats will not use that bridge/structure in subsequent years.

Yes

#### **SUBMITTED DOCUMENTS**

- *Des 1801500 Bat Inspection.pdf* <https://ecos.fws.gov/ipac/project/6U62SRGJHZACLEESDT46SIUP5Y/projectDocuments/19763396>

27. Did the bridge assessment detect *any* signs of Indiana bats and/or NLEBs roosting in/under the bridge (bats, guano, etc.)<sup>[1]</sup>?

[1] If bridge assessment detects signs of *any* species of bats, coordination with the local FWS office is needed to identify potential threatened or endangered bat species. Additional studies may be undertaken to try to identify which bat species may be utilizing the bridge prior to allowing *any* work to proceed.

Note: There is a small chance bridge assessments for bat occupancy do not detect bats. Should a small number of bats be observed roosting on a bridge just prior to or during construction, such that take is likely to occur or does occur in the form of harassment, injury or death, the PBO requires the action agency to report the take. Report all unanticipated take within 2 working days of the incident to the USFWS. Construction activities may continue without delay provided the take is reported to the USFWS and is limited to 5 bats per project.

No

28. Will the bridge removal, replacement, and/or maintenance activities include installing new or replacing existing **permanent** lighting?

Yes

29. Does the project include the removal, replacement, and/or maintenance of *any* structure other than a bridge? (e.g., rest areas, offices, sheds, outbuildings, barns, parking garages, etc.)

No

30. Will the project involve the use of **temporary** lighting *during* the active season?

Yes

31. Is there *any* suitable habitat **within** 1,000 feet of the location(s) where **temporary** lighting will be used?

Yes

32. Will the project install *any* new or replace any existing **permanent** lighting in addition to the lighting already indicated for habitat removal (including the removal or trimming of trees) or bridge/structure removal, replacement or maintenance activities?

No

33. Does the project include percussives or other activities (**not including tree removal/trimming or bridge/structure work**) that will increase noise levels above existing traffic/background levels?

No

34. Are *all* project activities that are **not associated with** habitat removal, tree removal/trimming, bridge and/or structure activities, temporary or permanent lighting, or use of percussives, limited to actions that DO NOT cause any additional stressors to the bat species?

Examples: lining roadways, unlighted signage , rail road crossing signals, signal lighting, and minor road repair such as asphalt fill of potholes, etc.

Yes

35. Will the project raise the road profile **above the tree canopy**?

No

36. Are the project activities that are not associated with habitat removal, tree removal/trimming, bridge and/or structure activities, temporary or permanent lighting, or use of percussives consistent with a No Effect determination in this key?

**Automatically answered**

*Yes, other project activities are limited to actions that DO NOT cause any additional stressors to the bat species as described in the BA/BO*

37. Is the habitat removal portion of this project consistent with a Not Likely to Adversely Affect determination in this key?

**Automatically answered**

*Yes, because the tree removal/trimming that occurs outside of the Indiana bat's active season occurs greater than 0.5 miles from the nearest hibernaculum, is less than 100 feet from the existing road/rail surface, includes clear demarcation of the trees that are to be removed, and does not alter documented roosts and/or surrounding summer habitat within 0.25 miles of a documented roost.*

38. Is the habitat removal portion of this project consistent with a Not Likely to Adversely Affect determination in this key?

**Automatically answered**

*Yes, because the tree removal/trimming that occurs outside of the NLEB's active season occurs greater than 0.5 miles from the nearest hibernaculum, is less than 100 feet from the existing road/rail surface, includes clear demarcation of the trees that are to be removed, and does not alter documented roosts and/or surrounding summer habitat within 0.25 miles of a documented roost.*

39. Is the bridge removal, replacement, or maintenance activities portion of this project consistent with a No Effect determination in this key?

**Automatically answered**

*Yes, because the bridge has been assessed using the criteria documented in the BA and no signs of bats were detected*

**40. General AMM 1**

Will the project ensure *all* operators, employees, and contractors working in areas of known or presumed bat habitat are aware of *all* FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable Avoidance and Minimization Measures?

Yes

**41. Tree Removal AMM 1**

Can *all* phases/aspects of the project (e.g., temporary work areas, alignments) be modified, to the extent practicable, to avoid tree removal<sup>[1]</sup> in excess of what is required to implement the project safely?

Note: Tree Removal AMM 1 is a minimization measure, the full implementation of which may not always be practicable. Projects may still be NLAA as long as Tree Removal AMMs 2, 3, and 4 are implemented and LAA as long as Tree Removal AMMs 3, 5, 6, and 7 are implemented.

[1] The word “trees” as used in the AMMs refers to trees that are suitable habitat for each species within their range. See the USFWS’ current summer survey guidance for our latest definitions of suitable habitat.

Yes

**42. Tree Removal AMM 3**

Can tree removal be limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits)?

Yes

**43. Tree Removal AMM 4**

Can the project avoid cutting down/removal of *all* (1) **documented**<sup>[1]</sup> Indiana bat or NLEB roosts<sup>[2]</sup> (that are still suitable for roosting), (2) trees **within** 0.25 miles of roosts, and (3) documented foraging habitat any time of year?

[1] The word documented means habitat where bats have actually been captured and/or tracked.

[2] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry biangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

Yes

**44. Lighting AMM 2**

Does the lead agency use the BUG (Backlight, Uplight, and Glare) system developed by the Illuminating Engineering Society<sup>[1][2]</sup> to rate the amount of light emitted in unwanted directions?

[1] Refer to [Fundamentals of Lighting - BUG Ratings](#)

[2] Refer to [The BUG System—A New Way To Control Stray Light](#)

Yes

**45. Lighting AMM 2**

Will the **permanent** lighting used during removal of suitable habitat and/or the removal/trimming of trees within suitable habitat be designed to be as close to 0 for all three BUG ratings as possible, with a priority of "uplight" of 0 and "backlight" as low as practicable?

Yes

**46. Lighting AMM 1**

Will *all* **temporary** lighting be directed away from suitable habitat during the active season?

Yes

## Project Questionnaire

1. Have you made a No Effect determination for *all* other species indicated on the FWS IPaC generated species list?

Yes

2. Have you made a May Affect determination for *any* other species on the FWS IPaC generated species list?

No

3. How many acres<sup>[1]</sup> of trees are proposed for removal between 0-100 feet of the existing road/rail surface?

[1] If described as number of trees, multiply by 0.09 to convert to acreage and enter that number.

0.09

4. Please describe the proposed bridge work:

*The bridge slope walls will be cut back and retaining walls will be installed to allow for the travel lane and the future trail construction. The culvert will be extended to accommodate the widened pavement.*

5. Please state the timing of all proposed bridge work:

*Summer 2021 to Summer 2022*

6. Please enter the date of the bridge assessment:

*February 22, 2019 and May 22, 2019*

## **Avoidance And Minimization Measures (AMMs)**

This determination key result includes the commitment to implement the following Avoidance and Minimization Measures (AMMs):

### **GENERAL AMM 1**

Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable AMMs.

### **LIGHTING AMM 1**

Direct temporary lighting away from suitable habitat during the active season.

### **LIGHTING AMM 2**

When installing new or replacing existing permanent lights, use downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting); or for those transportation agencies using the BUG system developed by the Illuminating Engineering Society, be as close to 0 for all three ratings with a priority of "uplight" of 0 and "backlight" as low as practicable.

### **TREE REMOVAL AMM 1**

Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to avoid tree removal.

### **TREE REMOVAL AMM 2**

Apply time of year restrictions for tree removal when bats are not likely to be present, or limit tree removal to 10 or fewer trees per project at any time of year within 100 feet of existing road/rail surface and **outside of documented** roosting/foraging habitat or travel corridors; visual emergence survey must be conducted with no bats observed.

**TREE REMOVAL AMM 3**

Ensure tree removal is limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits).

**TREE REMOVAL AMM 4**

Do not remove **documented** Indiana bat or NLEB roosts that are still suitable for roosting, or trees within 0.25 miles of roosts, or **documented** foraging habitat any time of year.

## **Determination Key Description: FHWA, FRA, FTA Programmatic Consultation For Transportation Projects Affecting NLEB Or Indiana Bat**

This key was last updated in IPaC on December 02, 2019. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which may require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) for the endangered **Indiana bat** (*Myotis sodalis*) and the threatened **Northern long-eared bat** (NLEB) (*Myotis septentrionalis*).

This decision key should only be used to verify project applicability with the Service's [February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects](#). The programmatic biological opinion covers limited transportation activities that may affect either bat species, and addresses situations that are both likely and not likely to adversely affect either bat species. This decision key will assist in identifying the effect of a specific project/activity and applicability of the programmatic consultation. The programmatic biological opinion is not intended to cover all types of transportation actions. Activities outside the scope of the programmatic biological opinion, or that may affect ESA-listed species other than the Indiana bat or NLEB, or any designated critical habitat, may require additional ESA Section 7 consultation.

Des 1801500 CE-4  
Appendix D  
Section 106 of the NHPA



# INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue  
Room N642  
Indianapolis, Indiana 46204

PHONE: (317) 234-5168

**Eric Holcomb, Governor**  
**Joe McGuinness,**  
**Commissioner**

**Sample letter that was sent to Consulting Parties  
notifying of the Effects Finding and 800.11(e)  
documentation.**

July 23, 2020

This letter was sent to the listed parties.

RE: I-65 and 109th Avenue Interstate Access Improvement Project; Des. No. 1801500; DHPA  
No. 24180

Dear Consulting Party,

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration (FHWA), proposes to proceed with the I-65 and 109th Avenue Interstate Access Improvement Project, Des. No. 1801500.

This letter is part of the Section 106 review process for this project. Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic and archaeological properties. We are requesting comments from you regarding the possible effects of this project. Please use the above Des. Number and project description in your reply and your comments will be incorporated into the formal environmental study.

A section 106 early coordination letter was distributed to invited consulting parties on July 22, 2019. In addition, a letter distributed on May 8, 2020 notified consulting parties that a Historic Properties Short Report (HPSR) and Archaeology Report were available for review and comment.

The proposed undertaking is on 109<sup>th</sup> Avenue at its intersections with I-65 in Lake, Indiana. It is within Center Township, Crown Point IN Topographic Quadrangle, in Sections 3 and 10, Township 34 North, Range 8 West.

The purpose of this project is to improve the interchange's Level of Service to acceptable levels. A secondary purpose is to be compatible with the City of Crown Point's development and reconstruction plans of the 109th Avenue Corridor. The need for this project stems from the interchange's inability to efficiently handle current and projected traffic. Based on current traffic volumes, the interchange experiences heavy operational traffic stresses at the southbound ramp terminal in the afternoon peak hours. The northbound ramp terminal is currently experiencing above average operational stress in the morning peak hours.

The proposed project involves a two-lane roundabout with two lanes in each direction, complete with curbs and concrete center islands, pavement markings, lighting, guardrail, and retaining walls. I-65 is carried over 109th Avenue by Str. No. I65-249-04900 BNBL (I-65 NB) and Str. No. I65-249-04900 BSBL (I-65 SB). The existing bridges are three span steel girder structures with a total length of 116 feet. The end spans have concrete slope walls extending from the back of the piers on 109th St. up to the end bents. The existing middle span is approximately 43 feet wide, which is not wide enough to provide space for all four travel lanes. To provide the two lanes EB and WB under the bridges, the existing north concrete slope wall will be cut back in order that one WB lane can travel through the north end span while two EB lanes and one WB lane will travel through the middle span. No improvements are proposed for the bridge superstructures. There will be improvements to

existing drainage structures and inlets, including the culvert extensions and placement of riprap. The proposed roadway section at the beginning and end of project limits will tie into the City of Crown Point's proposed added travel projects both east and west of this interchange improvement project. The City of Crown Point has planned for a future multi-use trail located on the south side of the roadway. The future multi-use trail on the south side of 109<sup>th</sup> St. will cross the southside ramps in marked pedestrian cross walks.

It is anticipated that the project will require 1.118 acres of right-of-way acquisition. No relocations of businesses or residents are anticipated.

Green 3, LLC is under contract with INDOT to advance the environmental documentation for the referenced project.

In accordance with 36 CFR 800.2 (c), you were invited to become a consulting party as part of the Section 106 process, or you are hereby invited to become a consulting party as part of the Section 106 process. Entities that have previously accepted consulting party status--as well as additional entities that are currently being invited to become consulting parties--are identified in the attached list.

The Section 106 process involves efforts to identify historic properties potentially affected by the undertaking, assess its effects and seek ways to avoid, minimize or mitigate any adverse effects on historic properties. For more information regarding the protection of historic resources, please see the Advisory Council on Historic Preservation's guide: *Protecting Historic Properties: A Citizen's Guide to Section 106 Review* available online at <https://www.achp.gov/sites/default/files/documents/2017-01/CitizenGuide.pdf>.

The Area of Potential Effects (APE) is the area in which the proposed project may cause alterations in the character or use of historic resources. The APE contains no resources listed in the National Register of Historic Places (NRHP).

A historian who meets the Secretary of the Interior's Professional Qualification Standards identified and evaluated above-ground resources within the APE for potential eligibility for the NRHP. As a result of the historic property identification and evaluation efforts, no properties were recommended eligible for listing in the NRHP.

With regard to archaeological resources, an archaeologist who meets the Secretary of the Interior's Professional Qualification Standards identified no sites within the project area. As a result of these efforts, no sites were recommended as eligible for listing in the NRHP and no further work or further work is recommended.

On July 29, 2019, the Pokagon Band of Potawatomi Indians accepted the invitation to serve as a consulting party for this project and offered a determination of "No Historic Properties in [APE]" significant to the Pokagon Band of Potawatomi Indians.

On August 26, 2019, the Forest County Potawatomi Community accepted the invitation to serve as a consulting party for this project and offered no objection to the project.

On May 8, 2020, the Miami Tribe of Oklahoma accepted the invitation to serve as a consulting party for this project and offered no objection to the project.

On June 1, 2020, SHPO said they agreed that the APE appeared to be of appropriate size to encompass the geographic area of the project. They also agreed with the conclusions of the HPSR (Wood, April 2020) and the

archaeology report (Jackson, April 23, 2020) that no above-ground or archaeological resources were eligible for inclusion in the NRHP.

Additionally, the SHPO staff commented that an “updated archaeological site survey record for sites 12La631 has not been submitted to SHAARD. The updated form should note the destruction of this site.” Green 3 has submitted this record for review as requested by SHPO.

The effects finding and 800.11(e) documentation are available for review in IN SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE). You are invited to review this document and respond with comments on any historic resource impacts incurred as a result of this project so that an environmental report can be completed. We also welcome your related opinions and other input to be considered in the preparation of the environmental document. If you prefer a hard copy of this material, please respond to this email with your request within seven (7) days.

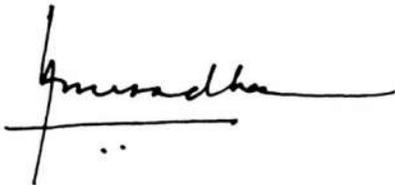
Please review the information and comment within thirty (30) calendar days of receipt. If you indicate that you do not desire to be a consulting party or if you have not previously accepted consulting party status and you do not respond to this letter, you will not be included on the list of consulting parties for this project and will not receive further information about the project unless the design changes.

For questions concerning specific project details, you may contact Karen Wood of Green 3, LLC at (317)-634-4110 or [karen@green3studio.com](mailto:karen@green3studio.com). All future responses regarding the proposed project should be forwarded to Green 3, LLC at the following address:

Karen Wood  
Environmental and Cultural Resources Manager  
Green 3, LLC  
1104 Prospect St.  
Indianapolis, IN 46203  
[karen@green3studio.com](mailto:karen@green3studio.com)

Tribal contacts may contact Shaun Miller at [smiller@indot.in.gov](mailto:smiller@indot.in.gov) or 317-233-6795 or Michelle Allen at FHWA at [michelle.allen@dot.gov](mailto:michelle.allen@dot.gov) or 317-226-7344.

Sincerely,



Anuradha V. Kumar, Manager  
Cultural Resources Office  
Environmental Services

Enclosures:

800.11 Documentation (This document may be viewed on IN SCOPE)

Distribution List:

SHPO, [bmcord@dnr.in.gov](mailto:bmcord@dnr.in.gov); [dkauffmann@dnr.in.gov](mailto:dkauffmann@dnr.in.gov)

Pokagon Band of Potawatomi

Forest County Potawatomi Community

Miami Tribe of Oklahoma

# I-65 and 109<sup>th</sup> Avenue Interchange Improvement Project

Crown Point, Center Township, Lake County, Indiana  
Des. No. 1801500; DHPA No. 24180

## 800.11(e) Documentation and Effects Finding

July 2020



Prepared for:  
USI Consultants  
8415 E. 56<sup>th</sup> Street  
Indianapolis, IN 46216  
By:

Karen Wood  
Qualified Professional / Environmental and Cultural Resources Manager  
Green 3, LLC  
Historic Fountain Square  
1104 Prospect Street  
Indianapolis, IN 46203

t. 317.634.4110

f. 866.422.2046

e. karen@green3studio.com



**FEDERAL HIGHWAY ADMINISTRATION'S  
SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties)  
AND SECTION 106 FINDINGS AND DETERMINATIONS  
AREA OF POTENTIAL EFFECT  
ELIGIBILITY DETERMINATIONS  
EFFECT FINDING  
I-65 and 109<sup>th</sup> Avenue Interchange Improvement Project  
Crown Point, Center Township, Lake County, Indiana  
Des. No. 1801500; DHPA No. 24180**

**AREA OF POTENTIAL EFFECTS  
(Pursuant to 36 CFR Section 800.4(a)(1))**

The Area of Potential Effects (APE) of the project includes all properties adjacent to the project and those with a proximate viewshed of the project. See Appendix A for maps of the APE.

**ELIGIBILITY DETERMINATIONS  
(Pursuant to 36 CFR 800.4(c)(2))**

No properties within the APE are listed in or recommended eligible for listing in the National Register of Historic Places (NRHP).

**EFFECT FINDING  
(Pursuant to 36 CFR 800.4(d)(1))**

The Indiana Department of Transportation (INDOT), acting on behalf of the Federal Highway Administration (FHWA), determined a "No Historic Properties Affected" finding is appropriate for this undertaking.

INDOT respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of effect.

**SECTION 106/SECTION 4(f) COMPLIANCE REQUIREMENTS  
(For historic properties)**

This undertaking will not convert property from any Section 4(f) historic property to a transportation use; the INDOT, acting on FHWA's behalf, has determined the appropriate Section 106 finding is "No Historic Properties Affected"; therefore, no Section 4(f) evaluation is required.

*Anuradha V. Kumar*

---

Anuradha V. Kumar, for FHWA  
Manager  
INDOT Cultural Resources

07/22/2020  
Approved Date

**FEDERAL HIGHWAY ADMINISTRATION  
DOCUMENTATION OF SECTION 106 FINDING OF  
“No Historic Properties Affected”  
SUBMITTED TO THE STATE HISTORIC PRESERVATION OFFICER  
PURSUANT TO 36 CFR 800.5 (c)  
I-65 and 109<sup>th</sup> Avenue Interstate Access Improvement Project  
Crown Point, Center Township, Lake County, Indiana  
Des. No. 1801500; DHPA No. 24180**

## **1. DESCRIPTION OF THE UNDERTAKING**

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration (FHWA), proposes to proceed with the I-65 and 109th Avenue Interstate Access Improvement Project, Des. No. 1801500.

The proposed undertaking is on 109<sup>th</sup> Avenue at its intersections with I-65 in Lake, Indiana. It is within Center Township, Crown Point IN Topographic Quadrangle, in Sections 3 and 10, Township 34 North, Range 8 West.

The proposed project involves a two-lane roundabout with two lanes in each direction, complete with curbs and concrete center islands, pavement markings, lighting, guardrail, and retaining walls. I-65 is carried over 109th Avenue by Str. No. I65-249-04900 BNBL (I-65 NB) and Str. No. I65-249-04900 BSBL (I-65 SB). The existing bridges are three span steel girder structures with a total length of 116 feet. The end spans have concrete slope walls extending from the back of the piers on 109th St. up to the end bents. The existing middle span is approximately 43 feet wide, which is not wide enough to provide space for all four travel lanes. To provide the two lanes EB and WB under the bridges, the existing north concrete slope wall will be cut back in order that one WB lane can travel through the north end span while two EB lanes and one WB lane will travel through the middle span. No improvements are proposed for the bridge superstructures. There will be improvements to existing drainage structures and inlets, including the culvert extensions and placement of riprap. The proposed roadway section at the beginning and end of project limits will tie into the City of Crown Point’s proposed added travel projects both east and west of this interchange improvement project. The City of Crown Point has planned for a future multi-use trail located on the south side of the roadway. The future multi-use trail on the south side of 109<sup>th</sup> St. will cross the southside ramps in marked pedestrian cross walks.

It is anticipated that the project will require 1.118 acres of right-of-way acquisition. No relocations of businesses or residents are anticipated. Please see Appendix E for the most current plans.

The area of potential effects (APE), as defined in 36 CFR 800.16(d), is “the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist.” The APE of the project includes all properties adjacent to the project and those with a proximate viewshed of the project. Urban development limited the APE to properties immediately adjacent to the I-65 and 109th Avenue Interstate Access Improvement Project. From the center of the intersection, the APE extends 0.37 mile east, 0.09 mile south, 0.27 mile west, and 0.08 mile north.

## **2. EFFORTS TO IDENTIFY HISTORIC PROPERTIES**

The NRHP, Indiana Register of Historic Sites and Structures (State Register), and the Indiana Historic Buildings, Bridges, and Cemeteries Map (IHBBM), showing results of the Indiana Historic Sites and

Structures Inventory (IHSSI), were consulted. One resource in the APE was previously identified, but has been since demolished: Farm, IHSSI No. 089-142-75004; rated Contributing.

There are no HABS/HAER/HALS resources identified within the vicinity of the project. The *Indiana Historic Bridge Inventory* (February 2009) by M & H Architecture, Inc. was reviewed. No historic bridges were identified within the APE.

The following parties/agencies were invited to become consulting parties (CPs) to this project and were sent early coordination information on July 24, 2019. It is important to note that the early coordination letter is dated July 22, 2019. Below is the list of invited consulting parties. Those identified in bold print are participating consulting parties.

**Indiana State Historic Preservation Officer (SHPO) (automatic consulting party)**

Indiana Landmarks, Northwest Field Office  
Lake County Historian  
Lake County Historical Society and Museum  
Crown Point Historic Preservation Commission  
Northwestern Indiana Regional Planning Commission  
Mayor of the City of Crown Point  
Lake County Commissioners  
Lake County Engineer  
Lake County Highway Superintendent  
Eastern Shawnee Tribe of Oklahoma  
**Miami Tribe of Oklahoma**  
Peoria Tribe of Indians of Oklahoma  
**Pokagon Band of Potawatomi Indians**  
**Forest County Potawatomi Community**

On July 29, 2019, the Pokagon Band of Potawatomi Indians accepted consulting party status and determined that there would be “No Historic Properties in Area of Potential Effects (APE) significant to the Pokagon Band of Potawatomi Indians.”

On August 16, 2019, SHPO responded to the ECL, saying they were “not aware of any parties who should be invited to participate in the Section 106 consultation on this project, beyond those whom INDOT already has invited.”

In an email dated August 26, 2019, the Forest County Potawatomi Community accepted the invitation to become a consulting party for this project. The Forest County Potawatomi Community determined that a finding of “No Historic Properties Affected,” would be appropriate.

Chris Jackson, a Qualified Professional historian, conducted a site visit of the project area on October 2, 2019. He documented above-ground resources within the APE that are at least 50 years of age or that will be at least 50 years of age at the time of the project letting (expected 2021). The historian walked the APE, taking photographs of all resources meriting a “Contributing” or higher rating. Non-contributing resources or those that did not meet the age requirements were noted but not documented other than in general streetscape photographs. No resources in the APE were found to be listed in or eligible for the NRHP. Please see Appendix B for photos.

A Historic Property Short Report (HPSR) (Wood, April 2020) was completed for the project and distributed to consulting parties on May 8, 2020.

With regards to archaeology, Christopher Jackson, M.S., RPA, conducted a Phase 1a archaeological reconnaissance investigation (Jackson, April 23, 2020) The investigation identified no archaeological sites within the project area and the report recommended that the project be allowed to proceed as planned. The archaeology report was sent to consulting parties (SHPO and Tribes only) on May 8, 2020. The summary of the HPSR and Archaeology Report are found in Appendix D.

On May 8, 2020, the Miami Tribe of Oklahoma sent a letter accepting the invitation to become a consulting party for this project. They offered no objection to this project, since they were “not currently aware of existing documentation directly linking a specific Miami cultural or historic site to the project site.”

On June 1, 2020, SHPO staff sent a letter stating they agreed that the APE appeared to be of appropriate size to encompass the geographic area of the project. They also agreed with the findings of Green 3’s historian and archaeologist that no above-ground or archaeological resources were eligible for inclusion in the NRHP. Additionally, the SHPO staff commented that an “updated archaeological site survey record for sites 12La631 has not been submitted to SHAARD. The updated form should note the destruction of this site.” Green 3 has submitted this record for review as requested by SHPO.

None of the other consulting parties provided any additional comments regarding the early coordination letter, HPR, or archaeology report. Please see Appendix C for Consulting Party Correspondence.

A public notice of the “No Historic Properties Affected” finding will be published in *The Times* (Munster, Lake County, IN) and the public will be afforded thirty (30) days to respond. This document will be revised, if necessary, after the expiration of the public comment period.

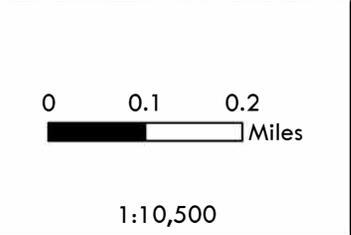
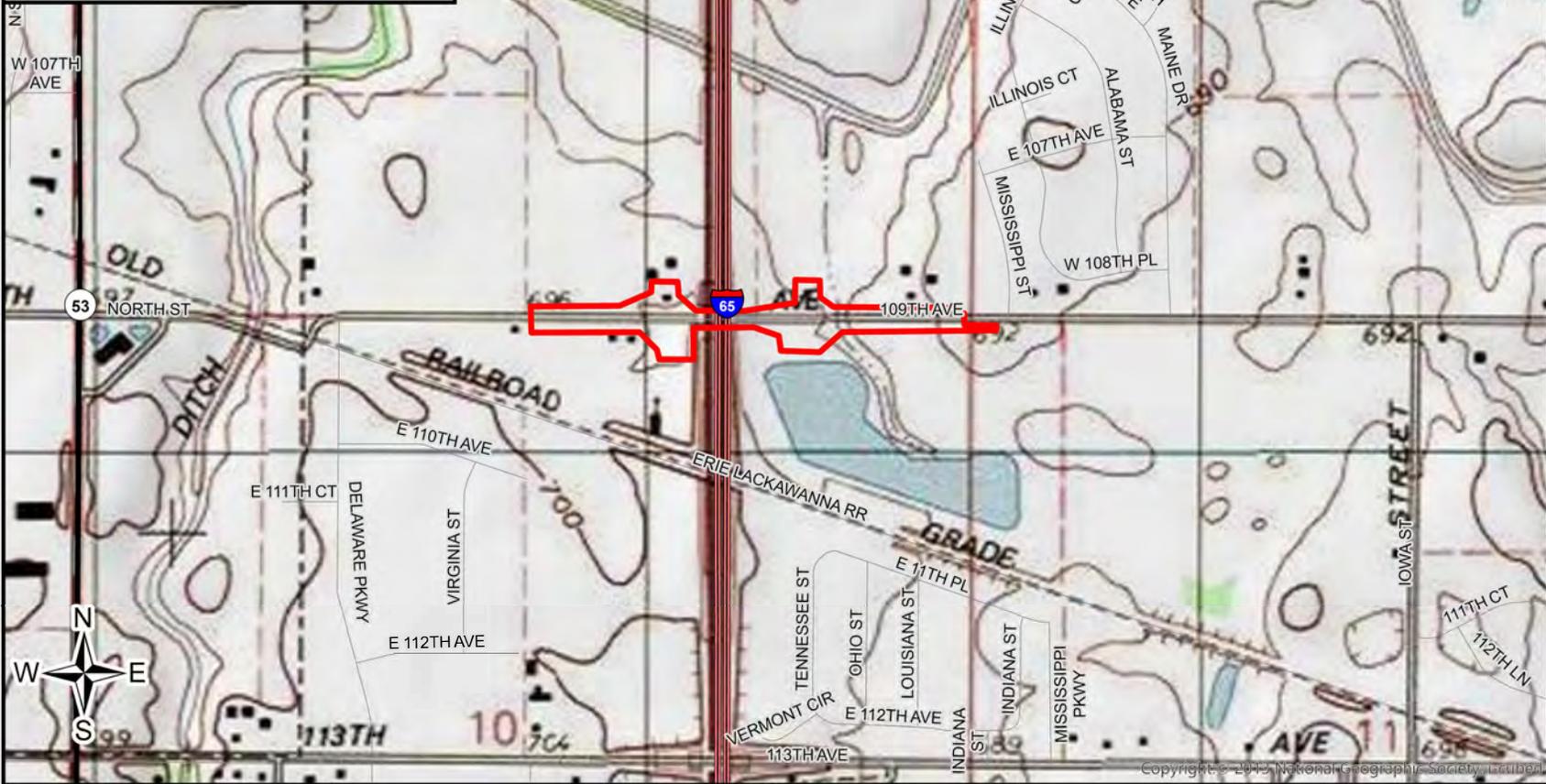
### **3. DESCRIBE AFFECTED HISTORIC PROPERTIES**

Because there are no historic properties currently present within the APE, INDOT, acting on behalf of FHWA, has determined a finding of “No Historic Properties Affected” is appropriate.

#### **APPENDICES**

- A – Maps
- B – Photographs
- C – Consulting Party Correspondence
- D – Historic Property Report and Archaeology Report Summaries
- E – Most Current Plans

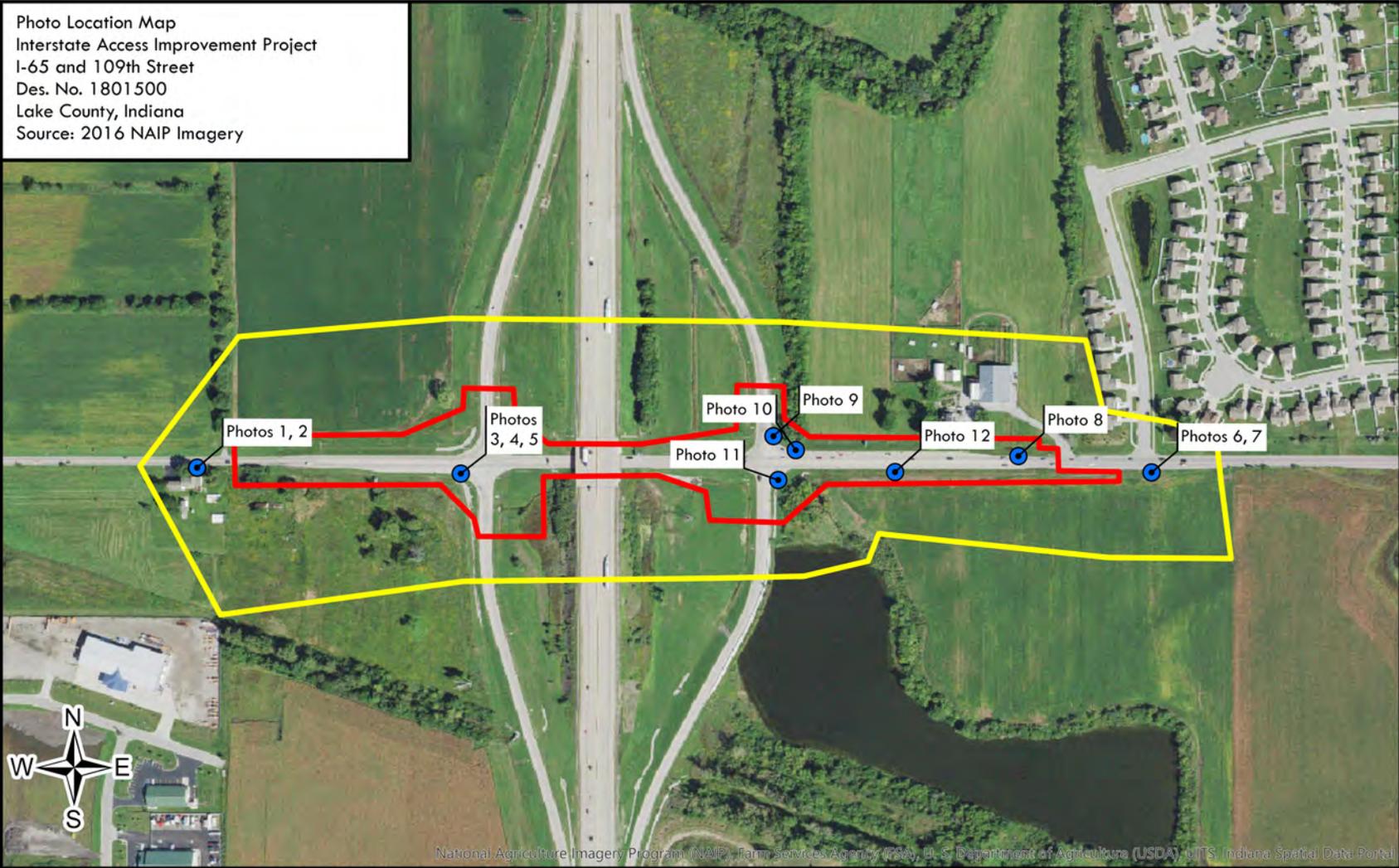
Topographic Map  
 Interstate Access Improvement Project  
 I-65 and 109th Street  
 Des. No. 1801500  
 Lake County, Indiana  
 Source: Crown Point IN Quadrangle



 Updated Project Area  
 3/27/2020



Photo Location Map  
 Interstate Access Improvement Project  
 I-65 and 109th Street  
 Des. No. 1801500  
 Lake County, Indiana  
 Source: 2016 NAIP Imagery



National Agriculture Imagery Program (NAIP), Farm Services Agency (FSA), U.S. Department of Agriculture (USDA), UITS, Indiana Spatial Data Portal

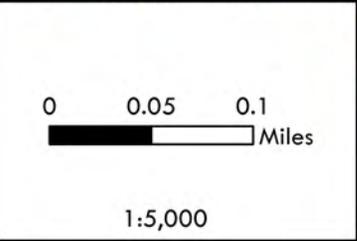


Photo Location  
 Project Area  
 APE

4/14/2020



green • 3



1. Facing south along 109th St. toward 711 E. 109th St. at western end of APE



2. Facing east along 109th St. toward I-65 at western end of APE



3. Facing north along 109th St. toward I-65 southbound exit 249 ramp at western end of project area



4. Facing east along 109th St. toward I-65 overpass at western end of project area



5. Facing southeast along 109th St. toward I-65 southbound entrance ramp at western end of project area



6. Facing north along 109th St. toward Waterside Crossing Subdivision at eastern end of APE



7. Facing west along 109th St. toward project area at eastern end of APE



8. Facing west along 109th St. toward 1604 109th St. at eastern end of APE



9. Facing south along 109th St. toward I-65 exit 249 ramp at eastern end of project area



10. Facing west along 109th St. toward I-65 overpass at eastern end of project area



11. Facing north along 109th St. toward I-65 entrance ramp at eastern end of project area



12. Facing east along 109th St. toward commercial development east of project area

## Des. 1801500 Consulting Party List

Participating consulting parties are highlighted

CP Name	Organization	email
Chad Slider	IDNR - DHPA / SHPO	<a href="mailto:cslider@dnr.in.gov">cslider@dnr.in.gov</a>
Bruce Woods	Lake County Historian	<a href="mailto:bwoods_mhs@yahoo.com">bwoods_mhs@yahoo.com</a>
	Lake County Historical Society and Museum	
Mary Waisnora	Office of the Mayor, City of Crown Point	<a href="mailto:mwaisnora@crownpoint.in.gov">mwaisnora@crownpoint.in.gov</a>
Paul Bremer	Crown Point Historic Preservation Commission	<a href="mailto:pbremer@crownpoint.in.gov">pbremer@crownpoint.in.gov</a>
Brad Miller	Indiana Landmarks, Northwest Field Office	<a href="mailto:bmiller@indianalandmarks.org">bmiller@indianalandmarks.org</a>
Ty Warner	Northwestern Indiana Regional Planning Commission	<a href="mailto:twarner@nirpc.org">twarner@nirpc.org</a>
Trey Wadsworth	Northwestern Indiana Regional Planning Commission	<a href="mailto:twadsworth@nirpc.org">twadsworth@nirpc.org</a>
Jerry Tippy	Lake County Commissioner	<a href="mailto:tippyj@lakecountyin.org">tippyj@lakecountyin.org</a>
Michael Repay	Lake County Commissioner	<a href="mailto:mcrepay@comcast.net">mcrepay@comcast.net</a>
Kyle Allen	Lake County Commissioner	<a href="mailto:allenkw@lakecountyin.org">allenkw@lakecountyin.org</a>
Duane Alverson, PE	Lake County Engineer	<a href="mailto:alverda@lakecountyin.org">alverda@lakecountyin.org</a>
Marcus Malczewski	Lake County Highway Superintendent	<a href="mailto:malczmw@lakecountyin.org">malczmw@lakecountyin.org</a>
Tribes	Eastern Shawnee Tribe of Oklahoma	
	Miami Tribe of Oklahoma	
	Peoria Tribe of Indians of Oklahoma	
	Pokagon Band of Potawatomi Indians	
	Forest County Potawatomi Community	

## Karen Wood

---

**From:** Karen Wood  
**Sent:** Wednesday, July 24, 2019 10:16 AM  
**To:** 'Slider, Chad (DNR)'; 'bwoods\_mhs@yahoo.com'; 'mwaisnora@crownpoint.in.gov'; 'pbremer@crownpoint.in.gov'; 'bmiller@indianalandmarks.org'; 'twarner@nirpc.org'; 'twadsworth@nirpc.org'; 'tippyj@lakecountyin.org'; 'mcrepay@comcast.net'; 'allenkw@lakecountyin.org'; 'alverda@lakecountyin.org'; 'malczmw@lakecountyin.org'  
**Cc:** 'Miller, Shaun (INDOT)'; Branigin, Susan; Kumar, Anuradha; South, Paul; Christian Radcliff  
**Subject:** FHWA Project: Des. No. 1801500; I-65 and 109th Street Interchange Modification, Crown Point, Lake County, Indiana  
**Attachments:** I65and109th\_Des1801500\_ECL-2019-7-22.pdf

**Des. No.:** 1801500

**Project Description:** Interchange modification with roundabouts

**Location:** Crown Point, Lake County, Indiana

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration (FHWA), proposes to proceed with the I-65 and 109<sup>th</sup> Street Interchange Modification Project, Des. No. 1801500.

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties. The following agencies/individuals are being invited to become consulting parties:

Indiana State Historic Preservation Officer  
Indiana Landmarks Northwest Field Office  
Lake County Historian  
Lake County Historical Society and Museum  
Crown Point Historic Preservation Commission  
Northwestern Indiana Regional Planning Commission  
Mayor of the City of Crown Point  
Lake County Commissioners  
Lake County Engineer  
Lake County Highway Superintendent  
Eastern Shawnee Tribe of Oklahoma  
Miami Tribe of Oklahoma  
Peoria Tribe of Indians of Oklahoma  
Pokagon Band of Potawatomi Indians  
Forest County Potawatomi Community

This letter is part of the early coordination phase of the environmental review process requesting comments associated with this project. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. Please use the above Des. Number and project description in your reply and your comments will be incorporated into the formal environmental study.

Please review the attached letter, which is located in IN SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with your comments on any historic resource impacts incurred as a result of this project so that an environmental report can be completed. We also welcome your related opinions and other input to be considered in the preparation of the environmental document. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comments. If we do not receive a response from an invited consulting party within the time allotted, the project will proceed consistent with the proposed design. **Therefore, if we do not receive a response within thirty (30) days, your agency or organization will not receive any further information on the project unless the scope of work changes.**

Tribal contacts may contact Shaun Miller at [smiller@indot.in.gov](mailto:smiller@indot.in.gov) or 317-233-6795 or Michelle Allen at FHWA at [michelle.allen@dot.gov](mailto:michelle.allen@dot.gov) or 317-226-7344.

Thank you in advance for your input,

*Karen Wood*

Environmental and Cultural Resources Manager



*"Let the science and research of the historian find the fact and let his imagination and art make clear its significance."  
George Trevelyan*

## Karen Wood

---

**From:** Miller, Shaun (INDOT) <smiller@indot.IN.gov>  
**Sent:** Wednesday, July 24, 2019 10:59 AM  
**To:** thpo@estoo.net; 'dhunter@miamination.com'; lpappenfort@peoriatribe.com; Matthew Bussler (Matthew.Bussler@pokagonband-nsn.gov); michael.laronge@fcpotawatomi-nsn.gov  
**Cc:** Karen Wood; Michelle (FHWA) Allen; Branigin, Susan  
**Subject:** FW: FHWA Project: Des. No. 1801500; I-65 and 109th Street Interchange Modification, Crown Point, Lake County, Indiana  
**Attachments:** I65and109th\_Des1801500\_ECL-2019-7-22.pdf

**Des. No.:** 1801500

**Project Description:** Interchange modification with roundabouts

**Location:** Crown Point, Lake County, Indiana

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration (FHWA), proposes to proceed with the I-65 and 109<sup>th</sup> Street Interchange Modification Project, Des. No. 1801500.

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties. The following agencies/individuals are being invited to become consulting parties:

Indiana State Historic Preservation Officer  
Indiana Landmarks Northwest Field Office  
Lake County Historian  
Lake County Historical Society and Museum  
Crown Point Historic Preservation Commission  
Northwestern Indiana Regional Planning Commission  
Mayor of the City of Crown Point  
Lake County Commissioners  
Lake County Engineer  
Lake County Highway Superintendent  
Eastern Shawnee Tribe of Oklahoma  
Miami Tribe of Oklahoma  
Peoria Tribe of Indians of Oklahoma  
Pokagon Band of Potawatomi Indians  
Forest County Potawatomi Community

This letter is part of the early coordination phase of the environmental review process requesting comments associated with this project. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. Please use the above Des. Number and project description in your reply and your comments will be incorporated into the formal environmental study.

Please review the attached letter, which is located in IN SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with your comments on any historic resource impacts incurred as a result of this project so that an environmental report can be completed. We also welcome your related opinions and other input to be considered in the preparation of the environmental document. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comments. If we do not receive a response from an invited consulting party within the time allotted, the project will proceed consistent

with the proposed design. **Therefore, if we do not receive a response within thirty (30) days, your agency or organization will not receive any further information on the project unless the scope of work changes.**

Tribal contacts may contact Shaun Miller at [smiller@indot.in.gov](mailto:smiller@indot.in.gov) or 317-233-6795 or Michelle Allen at FHWA at [michelle.allen@dot.gov](mailto:michelle.allen@dot.gov) or 317-226-7344.

Thank you in advance for your input,

Shaun Miller  
INDOT, Cultural Resources Office  
Archaeology Team Lead  
(317)233-6795



# INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue  
Room N642  
Indianapolis, Indiana 46204

PHONE: (317) 234-5168

**Eric Holcomb, Governor**  
**Joe McGuinness,**  
**Commissioner**

July 22, 2019

This letter was sent to the listed parties.

RE: I-65 and 109<sup>th</sup> Street Interchange Modification Project, Des. No. 1801500, Center Township, Lake County, Indiana

Dear Consulting Party (see attached list),

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration (FHWA), proposes to proceed with the I-65 and 109<sup>th</sup> Street Interchange Modification Project, Des. No. 1801500. Green 3, LLC is a subconsultant to USI Consultants, Inc. who is under contract with INDOT to advance the environmental documentation for the referenced project.

This letter is part of the early coordination phase of the environmental review process requesting comments associated with this project. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. Please use the above Des. Number and project description in your reply and your comments will be incorporated into the formal environmental study.

The proposed undertaking is on I-65 at the 109<sup>th</sup> Street interchange (Exit 249) in Lake County, Indiana. It is within Center Township, Crown Point USGS Topographic Quadrangle, in Sections 3 and 10, Township 34 North, Range 8 West.

The need for this project is due to the interchange's inability to efficiently handle current and projected traffic. The heavy volume of traffic stresses the southbound ramp in the afternoon peak hours and the northbound ramp in the morning peak hours. The purpose of this project is to improve the interchange's Level of Service to acceptable levels during the peak hours.

The existing roadway provides two travel lanes, one in each direction, with a median that serves as left turn lanes near the intersections of 109<sup>th</sup> Street and I-65. The project proposes to construct two two-lane roundabouts at the intersections of the I-65 ramps and 109<sup>th</sup> Street. Existing traffic signals would be eliminated. The existing drainage culvert that runs under 109<sup>th</sup> Avenue will be extended to accommodate the widened pavement. Traffic is anticipated to be maintained throughout construction through lane shifts as needed. It is anticipated that the project will require right-of-way acquisition; the type (permanent or temporary) and amount is undetermined at this time.

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic and archaeological properties. In accordance with 36 CFR 800.2 (c), you are hereby requested to be a consulting party to participate in the Section 106 process. Entities that have been invited to participate in the Section 106 consultation process for this project are identified in the attached list. Per 36 CFR 800.3(f), we hereby request that the Indiana State Historic Preservation Officer (SHPO) notify this office if the

SHPO staff is aware of any other parties that may be entitled to be consulting parties or should be contacted as potential consulting parties for the project.

The Section 106 process involves efforts to identify historic properties potentially affected by the undertaking, assess its effects and seek ways to avoid, minimize or mitigate any adverse effects on historic properties. For more information regarding the protection of historic resources, please see the Advisory Council on Historic Preservation's guide: *Protecting Historic Properties: A Citizen's Guide to Section 106 Review* available online at <https://www.achp.gov/sites/default/files/documents/2017-01/CitizenGuide.pdf>.

The Area of Potential Effects (APE) is the area in which the proposed project may cause alterations in the character or use of historic resources. At this time, no cultural resource investigations have occurred; however, the results of cultural resource identification and evaluation efforts, both above-ground and archaeological, will be forthcoming. Consulting parties will receive notification when these reports are completed.

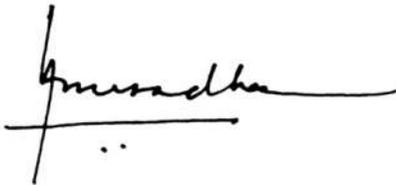
Please review the information and comment **within thirty (30) calendar days** of receipt. If you indicate that you do not desire to be a consulting party, or if you do not respond, you will not be included on the list of consulting parties for this project. If we do not receive your response in the time allotted, the project will proceed consistent with the proposed design and you will not receive further information about the project unless the design changes.

For questions concerning specific project details, you may contact Karen Wood of Green 3, LLC at (317) 634-4110 or [karen@green3studio.com](mailto:karen@green3studio.com). All future responses regarding the proposed project should be forwarded to Green 3, LLC at the following address:

Karen Wood  
Environmental and Cultural Resources Manager  
Green 3, LLC  
1104 Prospect Street  
Indianapolis, IN, 46203  
[karen@green3studio.com](mailto:karen@green3studio.com)

Tribal contacts may contact Shaun Miller at [smiller@indot.in.gov](mailto:smiller@indot.in.gov) or 317-233-6795 or Michelle Allen at FHWA at [michelle.allen@dot.gov](mailto:michelle.allen@dot.gov) or 317-226-7344.

Sincerely,



Anuradha V. Kumar, Manager  
Cultural Resources Office  
Environmental Services

Enclosures:  
Topographic Map

Distribution List:

Indiana State Historic Preservation Officer  
Indiana Landmarks Northwest Field Office  
Lake County Historian  
Lake County Historical Society and Museum  
Crown Point Historic Preservation Commission  
Northwestern Indiana Regional Planning Commission  
Mayor of the City of Crown Point  
Lake County Commissioners  
Lake County Engineer  
Lake County Highway Superintendent  
Eastern Shawnee Tribe of Oklahoma  
Miami Tribe of Oklahoma  
Peoria Tribe of Indians of Oklahoma  
Pokagon Band of Potawatomi Indians  
Forest County Potawatomi Community



Pokégnek Bodéwadmik • Pokagon Band of Potawatomi  
Department of Language and Culture

59291 Indian Lake Road • Dowagiac, MI 49047 • [www.PokagonBand-nsn.gov](http://www.PokagonBand-nsn.gov)  
(269) 462-4316 • (269) 782-2499 fax

7/29/2019

Shaun Miller  
INDOT  
Archaeology Team Lead  
Phone: 317-233-6795  
Email: [Smiller@indot.in.gov](mailto:Smiller@indot.in.gov)

**FW: FHWA Project: Des. No. 1801500; I-65 and 109th Street Interchange  
Modification, Crown Point, Lake County, Indiana**

Dear Responsible Party:

Migwethh for contacting me regarding these projects. As THPO, I am responsible for handling Section 106 Consultations on behalf of the tribe. I am writing to inform you that after reviewing the details for the project referenced above, I have made the determination that there will be **No Historic Properties in Area of Potential Effects (APE)** significant to the Pokagon Band of Potawatomi Indians. However, if any archaeological resources are uncovered during this undertaking, please stop work and contact me immediately. Should you have any other questions, please don't hesitate to contact me at your earliest convenience.

Sincerely,

Matthew J.N. Bussler  
Tribal Historic Preservation Officer  
Pokagon Band of Potawatomi Indians  
Office: (269) 462-4316  
Cell: (269) 519-0838  
[Matthew.Bussler@Pokagonband-nsn.gov](mailto:Matthew.Bussler@Pokagonband-nsn.gov)



Division of Historic Preservation & Archaeology · 402 W. Washington Street, W274 · Indianapolis, IN 46204-2739  
Phone 317-232-1646 · Fax 317-232-0693 · [dhpa@dnr.IN.gov](mailto:dhpa@dnr.IN.gov) · [www.IN.gov/dnr/historic](http://www.IN.gov/dnr/historic)



August 16, 2019

Karen Wood  
Green 3, LLC  
1104 Prospect Street  
Indianapolis, Indiana 46203

Federal Agency: Indiana Department of Transportation (“INDOT”),  
on behalf of Federal Highway Administration, Indiana Division (“FHWA”)

Re: Early coordination letter for the I-65 and 109<sup>th</sup> Street Interchange Modification Project  
(Des. No. 1801500; DHPA No. 24180)

Dear Ms. Wood:

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108), 36 C.F.R. Part 800, and the “Programmatic Agreement (PA) Among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation and the Indiana State Historic Preservation Officer Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana,” the staff of the Indiana State Historic Preservation Officer (“Indiana SHPO” or “INDNR-DHPA”) has reviewed your July 24, 2019 review request submittal form, which enclosed INDOT’s July 22, 2019 early coordination letter, which we received July 29, 2019 for the aforementioned project in Crown Point, Center Township, Lake County, Indiana.

We are not aware of any parties who should be invited to participate in the Section 106 consultation on this project, beyond those whom INDOT already has invited. In your next regular correspondence on this project, please advise us as to which of the invited consulting parties has accepted the invitation.

It is our understanding that additional information regarding aboveground historic resources and archaeological resources in the area of potential effects will be forthcoming. Once the indicated information is received, the Indiana SHPO will resume identification and evaluation procedures for this project. Please keep in mind that additional information may be requested in the future.

The archaeological reviewer for this project on the Indiana SHPO staff is Beth McCord, and the structures reviewer is Danielle Kauffmann. However, if you have questions about our comments or about a procedural issue, please contact initially an INDOT Cultural Resources staff member who is assigned to this project.

Karen Wood  
August 16, 2019  
Page 2

In all future correspondence regarding the I-65 and 109<sup>th</sup> Street Interchange Modification Project (Des. No. 1801500), please refer to DHPA No. 24180.

Very truly yours,



Beth K. McCord  
Deputy State Historic Preservation Officer

BKM:DMK:dmk

emc: Joyce Newland, FHWA  
Anuradha Kumar, INDOT  
Shaun Miller, INDOT  
Susan Branigin, INDOT  
Anthony Ross, INDOT  
Shirley Clark, INDOT  
Karen Wood, Green 3, LLC  
Beth McCord, INDNR-DHPA  
Danielle Kauffmann, INDNR-DHPA

## Karen Wood

---

**From:** Miller, Shaun (INDOT) <smiller@indot.IN.gov>  
**Sent:** Wednesday, August 28, 2019 9:54 AM  
**To:** Karen Wood  
**Cc:** Branigin, Susan  
**Subject:** FW: FHWA Project: Des. No. 1801500; I-65 and 109th Street Interchange Modification, Crown Point, Lake County, Indiana

Good morning Karen,

Please see below response from the Forest County Potawatomi to the ECL.

Thank you,

Shaun Miller  
INDOT, Cultural Resources Office  
Archaeology Team Lead  
(317)233-6795

---

**From:** Michael LaRonge [mailto:Michael.LaRonge@fcpotawatomi-nsn.gov]  
**Sent:** Monday, August 26, 2019 2:57 PM  
**To:** Miller, Shaun (INDOT) <smiller@indot.IN.gov>  
**Subject:** RE: FHWA Project: Des. No. 1801500; I-65 and 109th Street Interchange Modification, Crown Point, Lake County, Indiana

**\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\***

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RE: FHWA Project: Des. No. 1801500 I-65 109<sup>th</sup> Street Interchange, Lake County, Indiana.

Dear Mr. Miller,

Pursuant to consultation under Section 106 of the National Historic Preservation Act (1966 as amended) the Forest County Potawatomi Community, a Federally Recognized Native American Tribe, reserves the right to comment on Federal undertakings, as defined under the act.

Thank you for providing additional information regarding this project. Based on information provided by the Phase I archaeological report the project does not appear to have an adverse effect on any historic properties. Therefore, the Tribal Historic Preservation Office, on behalf of the Tribe, is pleased to offer a finding of no historic properties affected, with two conditions. First should the SHPO finding differ the Tribe reserves the right to reconsider based on new information. Second, in the event that human remains or archaeological materials are exposed as a result of project activities then work must halt and the Tribe must be included in any further discussion regarding treatment and disposition of the find prior to its removal.

Your interest in protecting cultural and historic properties is appreciated. If you have any questions or concerns, please contact me at the email address or phone number listed below.

Respectfully,

Michael LaRonge  
Tribal Historic Preservation Officer  
Natural Resources Department  
Forest County Potawatomi Community  
5320 Wensaut Lane  
P.O. Box 340  
Crandon, Wisconsin 54520  
Phone: 715-478-7354  
Fax: 715-478-7225  
Email: [Michael.LaRonge@FCPotawatomi-nsn.gov](mailto:Michael.LaRonge@FCPotawatomi-nsn.gov)

---

**From:** Miller, Shaun (INDOT) [<mailto:smiller@indot.IN.gov>]  
**Sent:** Wednesday, July 24, 2019 9:59 AM  
**To:** [thpo@estoo.net](mailto:thpo@estoo.net); 'dhunter@miamination.com'; [lpappenfort@peoriatribes.com](mailto:lpappenfort@peoriatribes.com); Matthew Bussler ([Matthew.Bussler@pokagonband-nsn.gov](mailto:Matthew.Bussler@pokagonband-nsn.gov)); Michael LaRonge  
**Cc:** Karen Wood; Michelle (FHWA) Allen; Branigin, Susan  
**Subject:** FW: FHWA Project: Des. No. 1801500; I-65 and 109th Street Interchange Modification, Crown Point, Lake County, Indiana

**Des. No.:** 1801500  
**Project Description:** Interchange modification with roundabouts  
**Location:** Crown Point, Lake County, Indiana

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration (FHWA), proposes to proceed with the I-65 and 109<sup>th</sup> Street Interchange Modification Project, Des. No. 1801500.

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties. The following agencies/individuals are being invited to become consulting parties:

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Indiana Landmarks Northwest Field Office  
Lake County Historian  
Lake County Historical Society and Museum  
Crown Point Historic Preservation Commission  
Northwestern Indiana Regional Planning Commission  
Mayor of the City of Crown Point  
Lake County Commissioners  
Lake County Engineer  
Lake County Highway Superintendent  
Eastern Shawnee Tribe of Oklahoma  
Miami Tribe of Oklahoma  
Peoria Tribe of Indians of Oklahoma  
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This letter is part of the early coordination phase of the environmental review process requesting comments associated with this project. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. Please use the above Des. Number and project description in your reply and your comments will be incorporated into the formal environmental study.

## Karen Wood

---

**From:** Chris Stanton  
**Sent:** Friday, May 8, 2020 2:42 PM  
**To:** cslider@dnr.in.gov  
**Cc:** Branigin, Susan; Karen Wood; Korzeniewski, Patricia J  
**Subject:** FHWA Project: Des. No. 1801500; I-65 and 109th Avenue Interstate Access  
**Attachments:** I65\_109thAve\_InterstateAccessImprovements\_Des1801500\_ReportDist\_2020\_5\_8.pdf

**Des. No.:** 1801500  
**Project Description:** Interstate Access Improvement  
**Location:** I-65 and 109<sup>th</sup> Avenue, Crown Point, IN

The Indiana Department of Transportation, with funding from the Federal Highway Administration, proposes to proceed with I-65 and 109th Avenue Interstate Access Improvement Project, Des. No. 1801500. The Section 106 Early Coordination Letter for this project was originally distributed on July 22, 2019.

As part of Section 106 of the National Historic Preservation Act, a Historic Property Short Report, Archaeology Short Report, and Report Distribution Letter have been prepared and are ready for review and comment by consulting parties.

Please review this documentation located in IN SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with any comments that you may have. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comment. Tribal contacts may contact Shaun Miller at [smiller@indot.in.gov](mailto:smiller@indot.in.gov) or 317-233-6795 or Michelle Allen at FHWA at [michelle.allen@dot.gov](mailto:michelle.allen@dot.gov) or 317-226-7344.

Thank you in advance for your input,

**Chris Stanton**  
Cultural Resource Specialist



## Karen Wood

---

**From:** Korzeniewski, Patricia J <PKorzeniewski@indot.IN.gov>  
**Sent:** Friday, May 8, 2020 2:46 PM  
**To:** michelle.allen@dot.gov; thpo@estoo.net; dhunter@miamination.com; lpappenfort@peoriatribe.com; Matthew.Bussler@pokagonband-nsn.gov; tonya@shawnee-tribe.com; michael.laronge@fcpotawatomi-nsn.gov  
**Cc:** Miller, Shaun (INDOT); Branigin, Susan; Korzeniewski, Patricia J  
**Subject:** Clearance Notification: Des No. 1801500, Interstate Access Improvement, I-65 and 109th Avenue, Crown Point, Lake County, IN

**Des. No.:** 1801500  
**Project Description:** Interstate Access Improvement  
**Location:** I-65 and 109<sup>th</sup> Avenue, Crown Point, Lake County, IN

The Indiana Department of Transportation, with funding from the Federal Highway Administration, proposes to proceed with I-65 and 109th Avenue Interstate Access Improvement Project, Des. No. 1801500. The Section 106 Early Coordination Letter for this project was originally distributed on July 22, 2019.

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*Please review this documentation located in IN SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with any comments that you may have. If a hard copy of the materials is needed, please respond to this email with your request as soon as you can.*

*Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comment. Tribal consulting parties may enter the process at any time and are encouraged to respond to this notification with any comments or concerns at their earliest convenience. Tribal contacts may contact Shaun Miller at [smiller@indot.in.gov](mailto:smiller@indot.in.gov) or 317-233-6795 or Michelle Allen at FHWA at [michelle.allen@dot.gov](mailto:michelle.allen@dot.gov) or 317-226-7344.*

Please review this documentation located in IN SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with any comments that you may have. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comment. Tribal contacts may contact Shaun Miller at [smiller@indot.in.gov](mailto:smiller@indot.in.gov) or 317-233-6795 or Michelle Allen at FHWA at [michelle.allen@dot.gov](mailto:michelle.allen@dot.gov) or 317-226-7344.

Thank you in advance for your input,

Patricia Jo Korzeniewski  
Archaeologist and Environmental Manager  
INDOT, Cultural Resources Office  
[PKorzeniewski@indot.in.gov](mailto:PKorzeniewski@indot.in.gov)  
(317) 233-2093



## INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue  
Room N642  
Indianapolis, Indiana 46204

PHONE: (317) 234-5168

**Eric Holcomb, Governor**  
**Joe McGuinness, Commissioner**

May 8, 2020

This letter was sent to the listed parties.

RE: I-65 and 109th Avenue Interstate Access Improvement Project; Des. No. 1801500; DHPA No. 24180

Dear Consulting Party,

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration (FHWA), proposes to proceed with the I-65 and 109th Avenue Interstate Access Improvement Project, Des. No. 1801500.

This letter is part of the Section 106 review process for this project. Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic and archaeological properties. We are requesting comments from you regarding the possible effects of this project. Please use the above Des. Number and project description in your reply and your comments will be incorporated into the formal environmental study.

A Section 106 early coordination letter was distributed on July 22, 2019.

The proposed undertaking is on 109<sup>th</sup> Avenue at its intersections with I-65 in Lake County, Indiana. It is within Center Township, Crown Point IN Topographic Quadrangle, in Sections 3 and 10, Township 34 North, Range 8 West.

The proposed project will entail the construction of roundabouts at the on/off ramps of the intersection of Interstate 65 and 109th Avenue. The purpose of this project is to improve the interchange's Level of Service to acceptable levels. A secondary purpose is to be compatible with the City of Crown Point's development and reconstruction plans of the 109th Avenue Corridor. The need for this project stems from the interchange's inability to efficiently handle current and projected traffic. Based on current traffic volumes, the interchange experiences heavy operational traffic stresses at the southbound ramp terminal in the afternoon peak hours. The northbound ramp terminal is currently experiencing above average operational stress in the morning peak hours.

It is anticipated that the project will require more than 0.5 acre of right-of-way (ROW) acquisition; however, the type (permanent or temporary) and total amount are undetermined at this time. No relocations of businesses or residents are anticipated. It should be noted that the project area footprint has changed since the Early Coordination Phase. That change is reflected in the enclosed topographic map.

USI is under contract with INDOT to advance the environmental documentation for the referenced project. Green 3, LLC has been subcontracted to complete the Section 106 documentation for the project.

In accordance with 36 CFR 800.2 (c), you were invited to become a consulting party as part of the Section 106 process, or you are hereby invited to become a consulting party as part of the Section 106 process. Entities that have previously accepted consulting party status--as well as additional entities that are currently being invited to become consulting parties--are identified in the attached list.

The Section 106 process involves efforts to identify historic properties potentially affected by the undertaking, to assess the undertaking's effects and to seek ways to avoid, minimize, or mitigate any adverse effects on historic properties. For more information regarding the protection of historic resources, please see the Advisory Council on Historic Preservation's guide: *Protecting Historic Properties: A Citizen's Guide to Section 106 Review* available online at <https://www.achp.gov/sites/default/files/documents/2017-01/CitizenGuide.pdf>.

The Area of Potential Effects (APE) is the area in which the proposed project may cause alterations in the character or use of historic resources. The APE contains no resources listed in the National Register of Historic Places (NRHP).

A historian who meets the Secretary of the Interior's Professional Qualification Standards identified and evaluated above-ground resources within the APE for potential eligibility for the NRHP. As a result of the historic property identification and evaluation efforts, no above-ground resources are recommended as eligible for listing in the NRHP.

With regard to archaeological resources, an archaeologist who meets the Secretary of the Interior's Professional Qualification Standards identified no sites within the project area. As a result of these efforts, no sites were recommended as eligible or not eligible for listing in the NRHP and no further work is recommended.

The Historic Property Short Report and Archaeology Short Report (Tribes only) are available for review in IN SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE). You are invited to review these documents and to respond with comments on any historic resource impacts incurred as a result of this project so that an environmental report can be completed. We also welcome your related opinions and other input to be considered in the preparation of the environmental document. If you prefer a hard-copy of this material, please respond to this email with your request within seven (7) days.

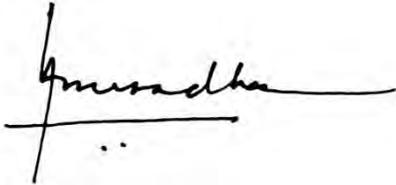
Please review the information and comment within thirty (30) calendar days of receipt. If you indicate that you do not desire to be a consulting party or if you have not previously accepted consulting party status and you do not respond to this letter, you will not be included on the list of consulting parties for this project and will not receive further information about the project unless the design changes.

For questions concerning specific project details, you may contact Karen Wood of Green 3, LLC at 317.634.4110 or [karen@green3studio.com](mailto:karen@green3studio.com). All future responses regarding the proposed project should be forwarded to Green 3, LLC at the following address:

Karen Wood  
Environmental and Cultural Resources Manager  
Green 3, LLC  
Historic Fountain Square  
1104 Prospect Street  
Indianapolis, Indiana, 46203  
karen@green3studio.com

Tribal contacts may contact Shaun Miller at [smiller@indot.in.gov](mailto:smiller@indot.in.gov) or 317-233-6795 or Michelle Allen at FHWA at [michelle.allen@dot.gov](mailto:michelle.allen@dot.gov) or 317-226-7344.

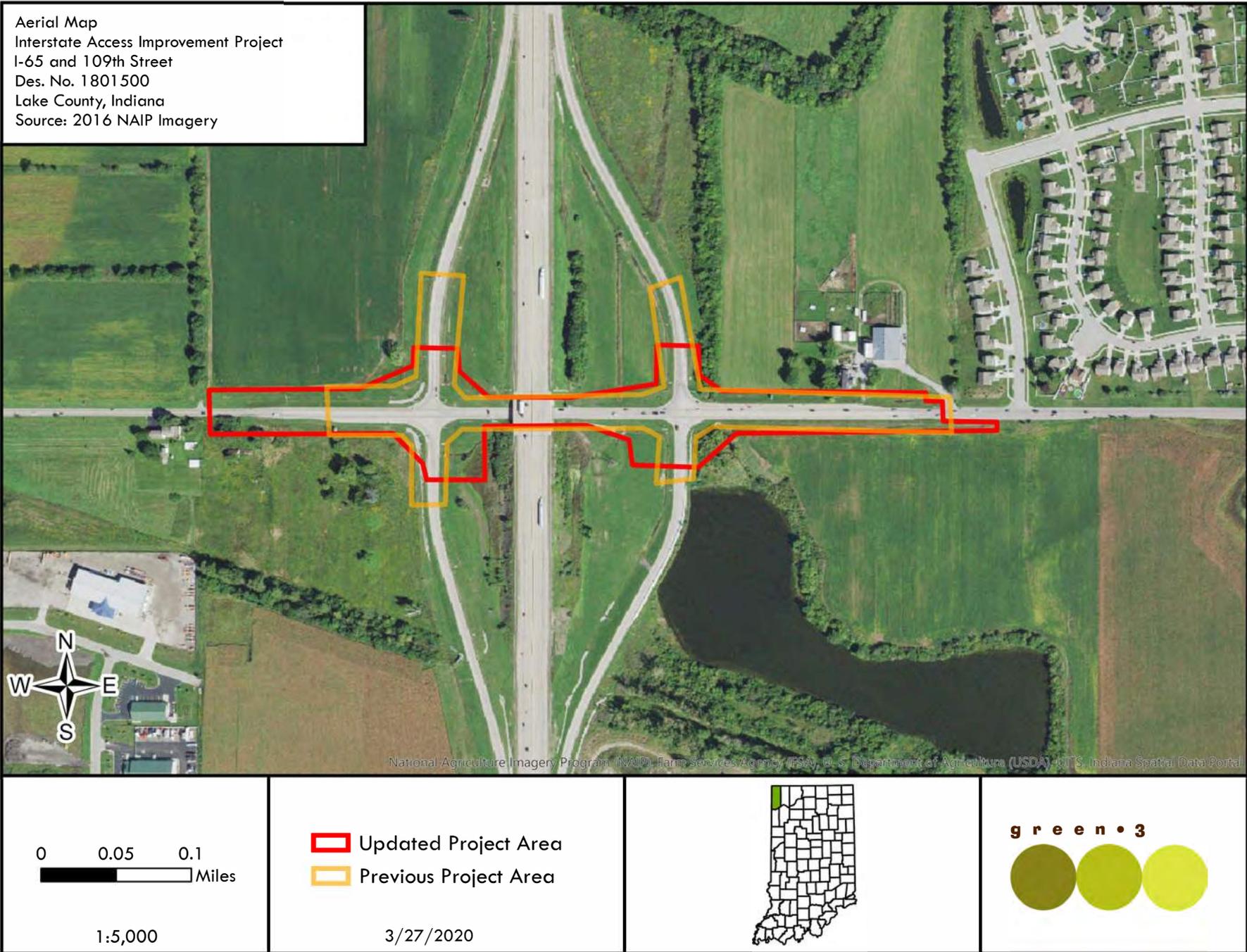
Sincerely,



Anuradha V. Kumar, Manager  
Cultural Resources Office  
Environmental Services

Enclosures:  
Project Area Change Map

Distribution List:  
IN SHPO  
INDOT CRO  
Pokagon Band of Potawatomi  
Forest County Potawatomi Community





## Miami Tribe of Oklahoma

3410 P St. NW, Miami, OK 74354 • P.O. Box 1326, Miami, OK 74355



Via email: [smiller@indot.in.gov](mailto:smiller@indot.in.gov)

May 8, 2020

Shaun Miller  
Archaeological Team Lead, Cultural Resources Office  
Indiana DOT  
575 North Pennsylvania Street  
Indianapolis, IN 46204

Re: Des. No. 1801500; I-65 and 109th Street Interchange Modification, Crown Point, Lake County, Indiana – Comments of the Miami Tribe of Oklahoma

Dear Mr. Miller:

Aya, kikwehsitoole – I show you respect. My name is Diane Hunter, and I am the Tribal Historic Preservation Officer for the Federally Recognized Miami Tribe of Oklahoma. In this capacity, I am the Miami Tribe's point of contact for all Section 106 issues.

The Miami Tribe offers no objection to the above-referenced project at this time, as we are not currently aware of existing documentation directly linking a specific Miami cultural or historic site to the project site. However, as this project is within the aboriginal homelands of the Miami Tribe, if any human remains or Native American cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) or archaeological evidence is discovered during any phase of this project, the Miami Tribe requests immediate consultation with the entity of jurisdiction for the location of discovery. In such a case, please contact me at 918-541-8966 or by email at [dhunter@miamination.com](mailto:dhunter@miamination.com) to initiate consultation.

The Miami Tribe accepts the invitation to serve as a consulting party to the proposed project. In my capacity as Tribal Historic Preservation Officer I am the point of contact for consultation.

Respectfully,

*Diane Hunter*

Diane Hunter  
Tribal Historic Preservation Officer

Division of Historic Preservation & Archaeology · 402 W. Washington Street, W274 · Indianapolis, IN 46204-2739  
 Phone 317-232-1646 · Fax 317-232-0693 · dhpa@dnr.IN.gov · www.IN.gov/dnr/historic



June 1, 2020

Karen Wood  
 Green 3, LLC  
 1104 Prospect Street  
 Indianapolis, Indiana 46203

Federal Agency: Indiana Department of Transportation (“INDOT”),  
 on behalf of Federal Highway Administration, Indiana Division (“FHWA”)

Re: Historic property short report (Wood, 4/2020) and archaeological short report (Jackson, 4/23/2020) for the I-65 and 109<sup>th</sup> Street Interchange Modification Project (Des. No. 1801500; DHPA No. 24180)

Dear Ms. Wood:

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108), 36 C.F.R. Part 800, and the “Programmatic Agreement (PA) Among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation and the Indiana State Historic Preservation Officer Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana,” the staff of the Indiana State Historic Preservation Officer (“Indiana SHPO” or “INDNR-DHPA”) has reviewed INDOT’s May 8, 2020 letter with the enclosed reports, which we received May 14, 2020 for the aforementioned project in Crown Point, Center Township, Lake County, Indiana.

The area of potential effects (“APE”) proposed in the historic property short report (“HPSR”; Wood, 4/2020) appears to be of appropriate size to encompass the geographic area in which direct or indirect effects to historic properties a project of this nature could occur.

In regard to buildings and structures, for the purposes of the Section 106 review of this undertaking, we agree with the conclusions of the HPSR that there are no above-ground historic properties listed in or eligible for inclusion in the National Register of Historic Places (“NRHP”) within the project’s APE.

In regard to archaeological resources, based upon the submitted information and the documentation available to the staff of the Indiana SHPO, there are no known archaeological resources eligible for inclusion in the National Register of Historic Places within the proposed project area. We agree with the recommendation of the archaeologist (Jackson, 4/23/2020) that no further work is necessary. Please note that an updated archaeological site survey record for sites 12La631 has **not** been submitted to SHAARD. The updated form should note the destruction of this site. Please submit this record for review.

Karen Wood  
June 1, 2020  
Page 2

The archaeological reviewer for this project on the Indiana SHPO staff is Beth McCord, and the structures reviewer is Danielle Kauffmann. However, if you have questions about our comments or about a procedural issue, please contact initially an INDOT Cultural Resources staff member who is assigned to this project.

In all future correspondence regarding the I-65 and 109<sup>th</sup> Street Interchange Modification Project (Des. No. 1801500), please refer to DHPA No. 24180.

Very truly yours,



Beth K. McCord  
Deputy State Historic Preservation Officer

BKM:DMK:dmk

emc: Kari Carmany-George, FHWA  
Anuradha Kumar, INDOT  
Shaun Miller, INDOT  
Susan Branigin, INDOT  
Anthony Ross, INDOT  
Shirley Clark, INDOT  
Karen Wood, Green 3, LLC  
Beth McCord, INDNR-DHPA  
Danielle Kauffmann, INDNR-DHPA

# I-65 and 109<sup>th</sup> Avenue Interchange Improvement Project

## HISTORIC PROPERTY SHORT REPORT

Center Township, Lake County, Indiana  
Des. No. 1801500

April 2020



Prepared for:  
USI Consultants  
8415 E. 56<sup>th</sup> Street  
Indianapolis, IN 46216

By:

Karen Wood  
Environmental and Cultural Resources Manager / Qualified Professional  
Green 3, LLC  
Historic Fountain Square  
1104 Prospect Street  
Indianapolis, IN 46203



p. 317.634.4110      f. 866.422.204      karen@green3studio.com

## Management Summary

This report documents the identification and evaluation efforts for properties included in the Area of Potential Effects (APE) for the I-65 and 109<sup>th</sup> Avenue Interstate Access Improvement Project (Des. No. 1801500). Above-ground resources located within the project APE were identified and evaluated in accordance with Section 106, National Historic Preservation Act (NHPA) of 1966, as amended and the regulations implementing Section 106 (36 CFR Part 800).

As a result of the NHPA, as amended, and CFR Part 800, federal agencies are required to take into account the impact of federal undertakings upon historic properties in the area of the undertaking. Historic properties include buildings, structures, sites, objects, and/or districts that are eligible for or listed in the National Register of Historic Places (National Register). As this project is receiving funding from the Federal Highway Administration (FHWA), it is subject to a Section 106 review.

It should be noted that the project area has changed since the early coordination phase. A map showing those changes is located in Appendix A (Additional Project Maps).

The APE contains no properties listed in the National Register of Historic Places (National Register). No resources are recommended eligible for listing in the National Register.



**A Phase Ia Archaeological Records Review and Field Reconnaissance  
for the Proposed Interstate 65 and 109<sup>th</sup> Avenue Intersection  
Improvements (Des 1801500) in the City of Crown Point, Center  
Township, Lake County, Indiana**  
ARCHAEOLOGICAL SHORT REPORT

April 23, 2020

Prepared for:  
USI Consultants  
8415 East 56<sup>th</sup> Street, Suite A  
Indianapolis, Indiana 46216



Christopher Jackson, M.S., RPA  
Archaeologist, Historian/QP  
Green 3, LLC  
Historic Fountain Square  
1104 Prospect Street  
Indianapolis, IN 46203

p. 317.634.4110

f. 866.422.2046

e. [chris@green3studio.com](mailto:chris@green3studio.com)

- The Phase Ia archaeological reconnaissance has located no archaeological sites within the project area and it is recommended that the project be allowed to proceed as planned.
- The Phase Ia archaeological reconnaissance has determined that the project area includes landforms which have the potential to contain buried archaeological deposits. It is recommended that Phase Ic archaeological subsurface reconnaissance be conducted before the project is allowed to proceed.
- The Phase Ia archaeological reconnaissance has determined that the project area is within 100 feet of a cemetery and a Cemetery Development Plan is required per IC-14-21-1-26.5.

Cemetery Name:

Other Recommendations/Commitments:

Pursuant to IC-14-21-1, if any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646.

### Attachments

- Figure showing project location within Indiana.
- USGS topographic map showing the project area (*1:24,000scale*).
- Aerial photograph showing the project area, land use and survey methods.
- Photographs of the project area.
- Project plans (*if available*)

Other Attachments:

Arthur, Sarah

1999 Archaeological Field Reconnaissance: Section 3 Borrow Pit, Lake County, Indiana. Archaeological Resources Management Service. Submitted to Walsh Construction Company, LaPorte, Indiana.

Balek, Cynthia I.

2007 Phase Ia Archaeological Reconnaissance of the 1.1 Acre Harris Bank Property, Crown Point, Lake County, Indiana. Archaeology and Geomorphology Services. Submitted to Jones Lang LaSalle Americas, Chicago.

2014 Phase Ia Records Check and Archaeological Reconnaissance of the 90 Acre Fricke Property, Center Township, Lake County, Indiana. Archaeology and Geomorphology Services. Submitted to V3 Companies, Woodridge, Illinois.

References Cited:

Baskin, Forster and Company

1876 Illustrated Historical Atlas of the State of Indiana. Baskin, Forster and Company, Chicago.

Beard, Thomas C.

1993 Archaeological Field Reconnaissance, INDOT Project BHS-4766(), Str. 119-66-3454A: Bridge Rehabilitation on SR 119 over the Tippecanoe River, Pulaski County, Indiana. Landmark Archaeological and Environmental Services, Inc., Lebanon, Indiana. Submitted to Indiana Department of Transportation, Indianapolis.

Bennett, Stacy N., and Jeffrey A. Plunkett

2019 Phase Ia Archaeological Field Reconnaissance: Proposed Roundabout at 109th Avenue and Iowa Street (Des. No. 1601158) in Crown Point, Lake County, Indiana. NS Services. Submitted to Butler, Fairman and Seufert, Indianapolis.

\*\*\* Proof of Publication \*\*\*

State of Indiana )  
 ) ss:  
Lake County )

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Muscari who, being duly sworn, says that She/he is Legal Clerk of the Northwest Indiana Times newspaper of general circulation printed and published in the English language in the Town of Munster in state and county afore-said, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time(s), the date(s) of publication being as follows:

July 29, 2020

Green 3 Studio / Legals  
Garrett Receveur  
1104 PROSPECT STREET, HISTORIC FOUNTAIN SQUARE  
INDIANAPOLIS IN 46203

ORDER NUMBER 48198

The undersigned further states that the Northwest Indiana Times newspaper maintains an Internet website, which is located at www.nwi.com website and that a copy of the above referenced printed matter was posted on such website on the date(s) of publication set forth above.

Nicole Muscari, Legal Clerk

By: Sallie Arcene

Subscribed and sworn to before me this 31 day of July, 2020

[Signature]  
Notary Public

My commission expires: 3/31/22

Section: Legals  
Category: 198 Legal - Lake County  
PUBLISHED ON: 07/29/2020

LEIGH FITZSIMONS  
NOTARY PUBLIC  
STATE OF INDIANA  
LAKE COUNTY  
My Commission Expires March 3, 2022

TOTAL AD COST: 52.95

FILED ON: 7/29/2020

# \*\*\* Proof of Publication \*\*\*

## Public Notice Des. No. 1801500

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration (FHWA), proposes to proceed with the I-65 and 109th Avenue Interstate Access Improvement Project, Des. No. 1801500. The project is located on 109th Avenue at its intersections with I-65 in Crown Point, Lake County, Indiana.

Under the preferred alternative, the proposed project involves a two-lane roundabout with two lanes in each direction, complete with curbs and concrete center islands, pavement markings, lighting, guard-rail, and retaining walls. I-65 is carried over 109th Avenue by Str. No. I65-249-04900 BNBL (I-65 NB) and Str. No. I65-249-04900 BSBL (I-65

SB). The existing bridges are three span steel girder structures with a total length of 116 feet. The end spans have concrete slope walls extending from the back of the piers on 109th St. up to the end bents. The existing middle span is approximately 43 feet wide, which is not wide enough to provide space for all four travel lanes. To provide the two lanes EB and WB under the bridges, the existing north concrete slope wall will be cut back in order that one WB lane can travel through the north end span while two EB lanes and one WB lane will travel through the middle span. No improvements are proposed for the bridge superstructures. There will be improvements to existing drainage structures and inlets, including the culvert extensions and placement of riprap. The proposed roadway section at the beginning and end of project limits will tie into the City of Crown Point's proposed added travel projects both east and west of this interchange improvement project. The City of Crown Point has planned for a future multi-use trail located on the south side of the roadway. The future multi-use trail on the south side of 109th St. will cross the southside ramps in marked pedestrian cross walks. It is anticipated that the project will require 1.118 acres of right-of-way acquisition. No relocations of businesses or residents are anticipated.

There are no properties listed in or eligible for listing in the National Register of Historic Places (NRHP) located within the Area of Potential Effects (APE). The proposed action does not impact properties listed in or eligible for the NRHP. The Indiana Department of Transportation (INDOT), on behalf of the FHWA, has issued a "No Historic Properties Affected" finding for the project due to the fact that no historic properties are present within the APE. In accordance with the National Historic Preservation Act, the views of the public are being sought regarding the effect of the proposed project on the historic elements as per 36 CFR 800.2(d), 800.3(e) and 800.6(a)(4). Pursuant to 36 CFR 800.4(d)(2), the documentation specified in 36 CFR 800.11(d) can be viewed electronically by accessing INDOT's Section 106 document posting website in SCOPE at <http://erms.indot.in.gov/Section106Documents>. Persons with limited internet access may request project information be mailed by notifying the contact listed below. This documentation serves as the basis for the "No Historic Properties Affected" finding. The views of the public on this effect finding are being sought. Please reply with any comments or requests to Karen Wood, Green 3

**\*\*\* Proof of Publication \*\*\***

requests to Karen Wood, Green 3, LLC, 1104 Prospect Street, Indianapolis, IN 46203, 317.634.4110 or [karen@green3studio.com](mailto:karen@green3studio.com) no later than August 29, 2020.

In accordance with the "Americans with Disabilities Act", if you have a disability for which INDOT needs to provide accessibility to the document(s) such as interpreters or readers, please contact Rickie Clark at 317-232-8601 or [rclark@indot.in.gov](mailto:rclark@indot.in.gov).

7/29-48198-hspaxlp

Division of Historic Preservation & Archaeology · 402 W. Washington Street, W274 · Indianapolis, IN 46204-2739  
Phone 317-232-1646 · Fax 317-232-0693 · [dhpa@dnr.IN.gov](mailto:dhpa@dnr.IN.gov) · [www.IN.gov/dnr/historic](http://www.IN.gov/dnr/historic)



August 17, 2020

Karen Wood  
Green 3, LLC  
1104 Prospect Street  
Indianapolis, Indiana 46203

Federal Agency: Indiana Department of Transportation (“INDOT”),  
on behalf of Federal Highway Administration, Indiana Division (“FHWA”)

Re: Indiana Department of Transportation’s finding of “no historic properties affected” on behalf of the  
Federal Highway Administration for the I-65 and 109<sup>th</sup> Street Interchange Modification Project  
(Des. No. 1801500; DHPA No. 24180)

Dear Ms. Wood:

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108), 36 C.F.R. Part 800, and the “Programmatic Agreement (PA) Among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation and the Indiana State Historic Preservation Officer Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana,” the staff of the Indiana State Historic Preservation Officer (“Indiana SHPO” or “INDNR-DHPA”) has reviewed your July 23, 2020, review request submittal form, which enclosed the aforementioned finding and documentation, received the same day for the aforementioned project in Crown Point, Center Township, Lake County, Indiana.

As previously indicated, we agree that there are no historic properties listed in or eligible for inclusion in the National Register of Historic Places (“NRHP”) located within the project’s area of potential effects.

Regarding archaeological resources, based upon the submitted information and the documentation available to the staff of the Indiana SHPO, there are no known archaeological resources eligible for inclusion in the NRHP within the proposed project area. We agree with the recommendation of the archaeologist (Jackson, 4/23/2020) that no further work is necessary.

If any prehistoric or historic archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and Indiana Code 14-21-1-29) requires that the discovery be reported to INDNR-DHPA within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and Indiana Code 14-21-1-29 does not obviate the need to adhere to applicable federal statutes and regulations, including but not limited to 36 C.F.R. Part 800.

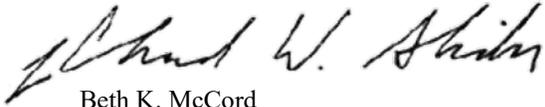
Accordingly, we concur with INDOT’s July 22, 2020 Section 106 finding on behalf of FHWA of “no historic properties affected” for this federal undertaking.

The Indiana SHPO staff’s archaeological reviewer for this project is Beth McCord, and the structures reviewer is Danielle Kauffmann. However, if you have a question about the Section 106 process, please contact initially the INDOT Cultural Resources staff members who are assigned to this project.

Karen Wood  
August 17, 2020  
Page 2

In any future correspondence about the I-65 and 109<sup>th</sup> Street Interchange Modification Project in Crown Point, Center Township, Lake County (Des. No. 1801500), please continue to refer to DHPA No. 24180.

Very truly yours,



Beth K. McCord  
Deputy State Historic Preservation Officer

BKM:DMK:dmk

emc: Kari Carmany-George, FHWA  
Anuradha Kumar, INDOT  
Shaun Miller, INDOT  
Anthony Ross, INDOT  
Susan Branigin, INDOT  
Karen Wood, Green 3, LLC  
Matthew J.N. Bussler, Pokagon Band of Potawatomi  
Michael LaRonge, Forest County Potawatomi Community  
Diane Hunter, Miami Tribe of Oklahoma  
Danielle Kauffmann, INDNR-DHPA  
Beth McCord, INDNR-DHPA